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The President

EXECUTIVE ORDER 9655

REGULATIONS RELATING TO COMMISSIONED OFFICERS AND EMPLOYEES OF THE PUBLIC HEALTH SERVICE

By virtue of the authority vested in me by the Public Health Service Act, approved July 1, 1944 (58 Stat. 682), and as President of the United States, I hereby prescribe the following regulations relating to commissioned officers and employees of the Public Health Service:

Part 1—Definitions

SECTION 1.1 *Meaning of terms.* As used in these regulations, the term:

(a) "Act" means the act approved July 1, 1944, 58 Stat. 682, entitled "An Act to consolidate and revise the laws relating to the Public Health Service, and for other purposes."

(b) "Administrator" means the Federal Security Administrator.

(c) "Agency" means the Federal Security Agency.

(d) "Service" means the Public Health Service.

(e) "Surgeon General" means the Surgeon General of the Public Health Service. (Sec. 215, 58 Stat. 690; 42 U.S.C., Sup., 216)

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NOTICE

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Book 1: Titles 1-10, including Presidential documents in full text.

Book 2: Titles 11-32.

A limited sales stock of the Cumulative Supplement and the 1943 Supplement is still available as previously announced.

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¹ Public Land Order 302.

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AUTHORITY: Sections 2.241 and 2.242 issued under sec. 510, 58 Stat. 711; 42 U.S.C., Sup., 228; secs. 3.1 and 3.2 issued under sec. 209 (g), 58 Stat. 687; 42 U.S.C., Sup., 210 (g). All other sections issued under sec. 215, 58 Stat. 690; 42 U.S.C., Sup., 216; additional authorities are listed in parentheses at the end of specific sections.

SUBPART A—DEFINITIONS

SEC. 2.1 Meaning of terms. The term "commissioned officer" or "officer" as used in this part, unless otherwise specified, refers both to officers of the Regular Corps and officers of the Reserve Corps.

SUBPART B—RANK AND PRECEDENCE

SEC. 2.11 Generally. The order of rank and precedence in the Service of officers shall be according to seniority of appointment, as follows: Surgeon General, Deputy Surgeon General, Assistant Surgeons General, chiefs of divisions, of-

ficers in the director grade, officers in the senior grade, officers in the full grade, officers in the senior assistant grade, officers in the assistant grade, and officers in the junior assistant grade. Officers of the Reserve Corps on active duty shall take rank and precedence with and after officers of the Regular Corps in the same grade. The rank and precedence among officers of the Reserve Corps shall be according to seniority of original appointment in the grade in which the officer is serving.

SEC. 2.12 *Officers of the Regular Corps appointed above assistant grade.* In determining the rank and precedence of officers appointed above the grade of assistant there shall be counted the number of years of constructive service which are authorized by law to be counted for purposes of pay and pay period.

SEC. 2.13 *Rank with Coast Guard Officers.* Officers shall rank with commissioned officers of the Coast Guard according to date of appointment in their respective grades, as follows: Surgeon General with Rear Admiral (upper half), Deputy Surgeon General and Assistant Surgeons General with Rear Admiral (lower half), director with captain, senior grade with commander, full grade with lieutenant commander, senior assistant grade with lieutenant, assistant grade with lieutenant (junior grade), and junior assistant grade with ensign.

SUBPART C—TITLES

SEC. 2.21 *Officers other than medical officers.* The titles of officers, other than medical officers, in the junior assistant, assistant, senior assistant, full, and senior grades shall be the same as the titles of medical officers in such grades prescribed in section 206 (b) of the Act, except that for the term "surgeon" there shall be substituted "dental surgeon," "sanitary engineer," "pharmacist," "nurse officer," "scientist," "dietitian," "physical therapist," or a similar term descriptive of the specialty of such class of officers. The titles of officers, other than medical officers, in the director grade shall be the same as the title of medical director, except that for the term "medical" there shall be substituted "dental," "sanitary engineer," "pharmacist," "nurse," "dietitian," "physical therapist," "scientist," or a similar descriptive term. The titles of officers, other than medical officers, in the grade of Assistant Surgeon General shall be the same as the title of Assistant Surgeon General, except that they shall include a parenthetical identification, such as "dental" or "sanitary engineer." (Sec. 206 (b), 58 Stat. 685; 42 U.S.C. Sup., 207 (b)).

SEC. 2.22 *Scientist officers; designation of specialties.* Scientist officers, in using their titles in correspondence outside the Agency and in the programs of scientific meetings, may designate their specialty in parentheses following their title, as, for example, Senior Scientist Richard Roe (Entomologist). (Sec. 206 (b), 58 Stat. 685; 42 U.S.C. Sup., 207 (b)).

SEC. 2.23 *Military titles.* An officer in uniform may use, for purposes of in-

formal identification and address, the military or naval title of rank corresponding to the grade markings worn. An officer detailed for duty with the Army, Navy, Coast Guard, or Coast and Geodetic Survey shall use in official correspondence the title of military or naval rank corresponding to the grade markings worn, as, for example, Richard Roe, Major, U. S. P. H. S., or Richard Roe, Lieutenant Commander, U. S. P. H. S.

SUBPART D—APPOINTMENT

Provisions Applicable Both to Regular Corps and Reserve Corps

SEC. 2.31 *Submission of application and evidence of qualifications—(a) Application form.* Every candidate for appointment as an officer shall submit a written application on such form as may be prescribed by the Surgeon General. The application form shall include statements as to date and place of birth, legal residence, academic and professional education, citizenship, and health history, and such other pertinent information as the Surgeon General may require.

(b) *Documentary evidence, photograph, and testimonials.* The application shall be accompanied by: (1) Documentary evidence of (i) date and place of birth (birth certificate if obtainable); (ii) graduation from professional school; (iii) United States citizenship in the case of an applicant of foreign birth; and (iv) registration as a graduate nurse under the nurse practice act of a State, Territory, or the District of Columbia in the case of a nurse; (2) a recent photograph; and (3) two recent testimonials of character and professional qualifications. (Sec. 208, 58 Stat. 685; 42 U.S.C. Sup., 209).

SEC. 2.32 *Consideration of qualifications.* The Surgeon General shall from time to time appoint boards of officers to examine the qualifications of candidates for appointment as officers. Such boards shall consist of three or more officers, the majority of whom, so far as practicable, shall be of the same profession as the candidate. Such boards shall review the health history, record of physical examination, and the evidence of educational and professional training and experience and of character; shall conduct the oral and written professional examinations provided for in these regulations; shall report to the Surgeon General their finding whether a candidate is generally qualified and is qualified physically, educationally, and professionally, and shall assign a relative numerical rating to each candidate for appointment in the Regular Corps who completes the examination. (Sec. 208, 58 Stat. 685; 42 U.S.C. Sup., 209).

SEC. 2.33 *Physical examinations.* Every candidate for appointment as an officer shall undergo a physical examination at such place and by such officers of the Service as the Surgeon General may direct. (Sec. 208, 58 Stat. 685; 42 U.S.C. Sup., 209).

SEC. 2.34 *False statements as disqualification.* Wilfully false statements shall be cause for rejection of the application or, as provided in the regulations govern-

ing the discipline of officers, for summary dismissal. (Sec. 208, 58 Stat. 685; 42 U.S.C. Sup., 209)

SEC. 2.35 *Eligibility; junior assistant grade—(a) Requirements; all candidates.* Except as provided in section 2.72, every candidate for appointment in the grade of junior assistant:

(1) shall be a citizen of the United States;

(2) shall be at least 18 years of age;

(3) shall have been graduated from an accredited high school or possess equivalent college entrance requirements;

(4) shall have completed the prescribed course in a reputable school and have been granted a degree or a certificate in the profession in which the examination is being held; and

(5) shall present evidence of general suitability, including professional and personal fitness.

(b) *Requirement; nurse officers, dietitians, and physical therapists.* Every candidate for appointment as a nurse officer, dietitian, or physical therapist shall be a female.

(c) *Special requirements; nurses.* Every candidate for appointment as a nurse officer:

(1) shall have been graduated from a State-accredited school of nursing connected with a hospital having a daily census of not less than 50, and offering adequate nursing experience in medicine, surgery, pediatrics, and obstetrics, at the time of graduation of the applicant; and

(2) shall be registered as a graduate nurse under the nurse practice act of a State, Territory, or the District of Columbia.

(Sec. 208, 58 Stat. 685; 42 U.S.C. Sup., 209)

SEC. 2.36 *Eligibility; assistant grade—(a) Requirements; all candidates.* Except as provided in section 2.72, every candidate for appointment in the grade of assistant:

(1) shall meet all the requirements for eligibility for examination for appointment in the grade of junior assistant;

(2) shall be at least 21 years of age; and

(3) shall have had at least 7 years of educational (exclusive of high school) and professional training or experience.

(b) *Special requirements; nurses.* Every candidate for appointment as a nurse officer shall possess an academic degree, except that a candidate who has had 4 years or more of experience as a nurse in the Army, Navy, or Public Health Service, with a satisfactory record of service, may substitute such experience for the requirement of an academic degree, provided that such experience is of a nature which, in the opinion of the board, qualifies the candidate to perform the duties of a nurse officer.

(c) *Special requirements; dietitians.* Every candidate for appointment as a dietitian shall have been graduated with a bachelor's degree after completion of 4 academic years in an approved college or university with the major study in dietetics including 18 semester hours in a combination of the following subjects: food preparation, nutrition, and institutional management. A candidate who

has had 4 years or more of experience as a dietitian in the Army, Navy, or Public Health Service, with a satisfactory record of service, may substitute such experience for the requirement of an academic degree, provided that such experience is of a nature which, in the opinion of the board, qualifies the candidate to perform the duties of a dietitian.

(d) *Special requirements; physical therapists.* Every candidate for appointment as a physical therapist shall possess an academic degree, except that a candidate who has had 4 years or more of experience as a physical therapist in the Army, Navy, or Public Health Service, with a satisfactory record of service, may substitute such experience for the requirement of an academic degree, provided that such experience is of a nature which, in the opinion of the board, qualifies the candidate to perform the duties of a physical therapist. (Sec. 208, 58 Stat. 685; 42 U.S.C., Sup., 209)

SEC. 237 *Eligibility; senior assistant grade.* Every candidate for appointment in the grade of senior assistant shall meet all the requirements for eligibility for examination for appointment in the grade of assistant and shall have completed at least 4 additional years of post-graduate professional training or experience. (Sec. 208, 58 Stat. 685; 42 U.S.C., Sup., 209)

SEC. 238 *Eligibility; grades above senior assistant grade.* Every candidate for appointment in grades above that of senior assistant shall meet all the requirements for eligibility for examination for appointment in the grade of senior assistant and shall have completed at least 7 additional years of post-graduate training or experience. (Sec. 208, 58 Stat. 685; 42 U.S.C., Sup., 209)

SEC. 239 *General service.* Officers shall be appointed only to general service and shall be subject to change of station.

SEC. 240 *Certification by candidate.* A candidate before appointment in the Regular Corps, and an officer of the Reserve Corps before assignment to active duty, shall certify that to the best of his knowledge and belief he is free from all disease or injury not noted in his record at the time of his examination and that he is willing and able to serve in any climate.

Provisions Applicable Only to Regular Corps

SEC. 251 *Professional examination; junior assistant grade.* Every candidate for appointment in the Regular Corps in the grade of junior assistant shall take an oral examination consisting of questions in the fundamentals of his profession and questions in public health, and, in the discretion of the Surgeon General, a written examination in the subjects relating to his profession listed in section 252. (Sec. 208, 58 Stat. 685; 42 U.S.C., Sup., 209)

SEC. 252 *Professional examination; assistant grade.* Every candidate for appointment in the Regular Corps in the grade of assistant shall take an oral and written examination in the subjects re-

lating to his profession listed in this section:

(a) In Medicine:

- (1) Anatomy, physiology, and biochemistry
- (2) Materia medica and therapeutics
- (3) Practice of medicine
- (4) Practice of surgery
- (5) Obstetrics and gynecology
- (6) Hygiene, pathology, and bacteriology

A candidate who has passed an examination given by the National Board of Medical Examiners may, at his election, be relieved from being examined in the subjects relating to his profession listed in this section, and, if he so elects, the grades attained by him in the National Board examination shall be used in rating him in such subjects.

(b) In Dentistry:

- (1) Anatomy and oral surgery
- (2) Pathology and bacteriology
- (3) Materia medica and physiology
- (4) Hygiene and radiology
- (5) Operative and prosthetic dentistry
- (6) Clinical and laboratory demonstrations

A candidate who has passed an examination given by the National Board of Dental Examiners may, at his election, be relieved from being examined in the subjects relating to his profession listed in this section, and, if he so elects, the grades attained by him in the National Board examination shall be used in rating him in such subjects.

(c) In Sanitary engineering:

- (1) Chemistry and bacteriology
- (2) Mathematics, physics, and hydraulics
- (3) Water and sewage treatment
- (4) Design and construction of sanitary projects
- (5) Industrial hygiene
- (6) Sanitary science and public health

(d) In Pharmacy:

- (1) Chemistry and drug analysis
- (2) Practice of pharmacy
- (3) Materia medica and toxicology
- (4) Pharmacognosy
- (5) Physiology and hygiene
- (6) Practical dispensing and laboratory procedures

(e) In Scientific specialties related to public health:

- (1) Mathematics, including statistics
- (2) Chemistry
- (3) Biology
- (4) Physics
- (5) Specialty, basic
- (6) Specialty, advanced

(f) In Nursing:

- (1) Medical nursing
- (2) Surgical nursing
- (3) Obstetrical nursing
- (4) Communicable diseases and hygiene
- (5) Pediatric nursing
- (6) Psychiatric nursing

(g) In Dietetics:

- (1) Chemistry
- (2) Bacteriology
- (3) Nutrition
- (4) Physiology
- (5) Foods
- (6) Institutional management

(h) In Physical therapy:

- (1) Anatomy, including applied anatomy
- (2) Physiology
- (3) Physical education
- (4) Physical therapy technique
- (5) Massage
- (6) Hydrotherapy

(Sec. 208, 58 Stat. 685; 42 U.S.C., Sup., 209)

SEC. 253 *Professional examination; senior assistant grade.* Every candidate for appointment in the Regular Corps in the grade of senior assistant shall take an oral and written examination in the subjects relating to his profession listed in this section:

(a) In Medicine:

- (1) Practice of medicine
- (2) Practice of surgery
- (3) Hygiene
- (4) Epidemiology
- (5) Pathology and bacteriology

(b) In Dentistry:

- (1) Oral surgery
- (2) Pathology and bacteriology
- (3) Hygiene
- (4) Operative dentistry
- (5) Prosthetic dentistry

(c) In Sanitary engineering:

- (1) Chemistry and biology
- (2) Hygiene and epidemiology
- (3) Design of sanitary projects
- (4) Practice relating to water, sewage, and waste.
- (5) Public health engineering, general

(d) In Pharmacy:

- (1) Pharmaceutical chemistry
- (2) Materia medica
- (3) Practice of pharmacy
- (4) Toxicology and posology
- (5) Practical dispensing and laboratory procedures

(e) In Scientific specialties related to public health:

- (1) Chemistry
- (2) Biology
- (3) Physics
- (4) Specialty, basic
- (5) Specialty, advanced

(f) In Nursing:

- (1) Medical nursing, including communicable disease and hygiene
- (2) Surgical nursing
- (3) Psychiatric nursing
- (4) Obstetrical nursing
- (5) Pediatric nursing

(g) In Dietetics:

- (1) Bacteriology
- (2) Nutrition
- (3) Physiology
- (4) Foods
- (5) Institutional management

(h) In Physical therapy:

- (1) Physiology
- (2) Physical education
- (3) Physical therapy technique
- (4) Massage
- (5) Hydrotherapy

(Sec. 208, 58 Stat. 685; 42 U.S.C., Sup., 209)

SEC. 254 *Professional examination; grades above senior assistant grade.* Except as provided in section 208 (b) of the Act, every candidate for appointment in the Regular Corps in a grade above that of senior assistant shall take a written examination consisting of (a) questions in the fundamentals of the candidate's profession, (b) questions in public health, and (c) an essay written at the time of the examination on a subject with which the candidate feels himself to be well informed by virtue of his professional experience.

SEC. 2.55 Rating values. Every candidate for appointment in the Regular Corps shall be rated by a board appointed as provided in section 2.32, as to academic knowledge, professional knowledge, and general fitness for the Service. In the grade of junior assistant, relative values shall be: academic, 20; oral professional, 30; and general fitness, 50. In the grades of assistant and above, relative values shall be: academic, 10; professional, 65 (divided when both are given—oral professional, 15; written professional, 50); and general fitness, 25. (Sec. 208, 58 Stat. 685, 42 U.S.C., Sup., 209)

SEC. 2.56 Minimum required rating; certification of physical fitness. No candidate who receives a final rating below 80 or who is not certified as physically qualified shall be appointed to the Regular Corps. (Sec. 208, 58 Stat. 685; 42 U.S.C., Sup., 209)

SEC. 2.57 Re-examination. A candidate who fails to receive a final rating of 80 may be permitted to take a second examination after one year, but may not be permitted to take a third examination. (Sec. 208, 58 Stat. 685; 42 U.S.C. Sup., 209)

SEC. 2.58 Merit roll. Each board which conducts the examination of candidates shall submit a report to the Surgeon General of the ratings and relative standings of all candidates examined by such board for each of the several grades with recommendations in each case. The Surgeon General shall submit each such report with his recommendations to the Administrator and, if approved by the Administrator, each report shall constitute a merit roll and shall serve as the basis for nomination by the President of persons to be commissioned officers of the Regular Corps. A board appointed pursuant to section 2.32 may consider any newly-discovered evidence relating to the physical, professional, or personal qualifications of any candidate on a merit roll. Upon recommendation of such board after review of such evidence, the Surgeon General, with the approval of the Administrator, may disqualify a candidate or reduce his rating and relative standing on such a merit roll. The placing of a candidate's name on a merit roll shall give no assurance of an appointment. A merit roll shall expire when a new merit roll in the same profession and grade has been established, but no merit roll shall continue in effect longer than two years after its approval by the Administrator. Every candidate not appointed whose name appears on an expired merit roll shall be rated with the next group of candidates of the same profession for appointment in the same grade. At his election, any such candidate may be relieved from the written professional examination, if any, and if he so elects, the grades attained by him in the written professional examination, if any, which resulted in his name being placed on the merit roll shall be used in rating him for the purposes of a new merit roll. At the election of the board, any such candidate may be relieved from the oral professional examination, if any, and if the board so elects, the grades at-

tained by the candidate in the oral professional examination, if any, which resulted in his name being placed on the merit roll shall be used in rating him for the purposes of a new merit roll. The board shall re-rate each such candidate as to academic knowledge and general fitness for the Service. The several merit rolls may be utilized in such manner as will best serve the needs of the Service. Notwithstanding any of the provisions of this section, no candidate's eligibility for appointment shall exceed 2 years unless he again becomes eligible as the result of another examination. (Sec. 208, 58 Stat. 685; 42 U.S.C., Sup., 209)

Provisions Applicable Only to Reserve Corps

SEC. 2.71 Examination. A candidate for appointment in the Reserve Corps shall take a physical examination at such place and by such officers of the Service as the Surgeon General may direct. In the discretion of the Surgeon General, an applicant for appointment may be required to present himself before a board or a designated representative of the Service. The professional examination shall consist of an evaluation by the board of the evidence submitted by the applicant pursuant to these regulations as to professional education, training, and experience, including any published professional or scientific articles by the applicant. The board shall also evaluate the evidence submitted by the applicant as to his general aptitude and moral qualifications. (Sec. 208, 58 Stat. 685; 42 U.S.C., Sup., 209)

SEC. 2.72 Students. A potential candidate for appointment in the Regular Corps who is pursuing a course of instruction which, upon completion, would qualify him under these regulations for examination for appointment in the junior assistant or assistant grade may be examined for and appointed in the Reserve Corps in the grade of junior assistant or assistant but shall not be called to active duty until the successful completion of such course of instruction. (Sec. 208, 58 Stat. 685; 42 U.S.C., Sup., 209)

SUBPART E—INCREASED PAY AND ALLOWANCES

SEC. 2.81 Foreign service; increased allowances—(a) Generally. Officers, other than those on sea duty, while on foreign service may receive an additional allowance when authorized by the Surgeon General in accordance with a table of allowances approved by the Administrator and the Director of the Bureau of the Budget. Such table shall be based upon the relative differences in costs of commodities, services, and living and other necessary expenses between foreign places where officers may be on duty and Washington, D. C. Unless otherwise directed by the Surgeon General, such allowance shall continue while an officer is on sick leave or other authorized leave taken during his foreign assignment.

(b) Duty other than temporary. An officer on foreign assignment other than temporary may receive such additional

allowance beginning with the day of his arrival at his foreign station and continuing through the last day of his duty at such station. Such allowance shall continue while an officer is on travel status in a foreign country away from his official foreign station.

(c) Temporary duty. An officer having no official foreign station and who is on temporary foreign assignment may receive such allowance beginning with the day of his arrival in a foreign country in which he performs duty. While such officer is performing duty in such foreign country, the allowance shall be that prescribed for such country. Such allowance shall continue through the last day of his duty in a foreign country. The allowance prescribed for the foreign country in which an officer last performed duty shall be paid to: (1) an officer who performs duty in more than one foreign country during any one day, and (2) an officer who is en route between foreign countries for more than one day.

(d) Duty with other agencies. An officer detailed to another agency or activity may receive when on foreign service and when authorized by the Surgeon General, in lieu of the foreign service allowance herein provided, such allowances as may be provided for foreign service by the agency or activity to which detailed under such arrangements as may be made between the Service and such agency or activity.

SEC. 2.91 Duty requiring intimate contact with leprosy patients; additional pay. (a) Every officer who is assigned to full-time duty at a station of the Service devoted exclusively to the care of leprosy patients and who is engaged as a physician, dentist, nurse, dietitian, dispensing pharmacist, technician, or otherwise in the diagnosis or treatment of the diseases of such patients shall receive while so assigned, in addition to the pay and allowances of his grade, a sum equal to 50 per centum of the pay of his grade.

(b) Every officer who is assigned to full-time duty at a station of the Service devoted exclusively to the care of leprosy patients and who is not entitled to the additional payment of 50 per centum under paragraph (a) of this section shall receive while so assigned, in addition to the pay and allowances of his grade, a sum equal to 25 per centum of the pay of his grade. (Sec. 209 (g), 58 Stat. 687; 42 U. S. C., Sup., 210 (g)).

SUBPART F—ALLOTMENTS

SEC. 2.101 Generally. An officer on active duty may be permitted to allot a part or all of his monthly pay and allowances for the payment of insurance premiums, the purchase of securities of the Federal Government; or for other proper purposes; provided that no officer, without the approval of the Surgeon General, may have in force more than two allotments at one time, exclusive of allotments for insurance premiums. (Sec. 209 (c), 58 Stat. 686; 42 U. S. C. Sup., 210 (c)).

SEC. 2.102 On active duty or traveling outside continental United States. An officer on active duty whose permanent

or temporary post of duty is outside the continental United States or in Alaska or who, being stationed in the United States, is traveling on official business outside the continental United States or in Alaska, in addition to allotments for the purposes as indicated in section 2.101, may be permitted to allot a part or all of his monthly pay and allowances for the support of his family or dependents; provided, that no officer, without the approval of the Surgeon General, may have in force more than two allotments at one time, exclusive of allotments for insurance premiums. (Sec. 209 (c), 58 Stat. 686; 42 U.S.C., Sup., 210 (c)).

SUBPART G—LEAVE

Definitions

SEC. 2.111 *Meaning of terms.* For the purpose of this subpart:

(a) A "year" or "leave year" means the period beginning July 1 of any calendar year and ending June 30 of the succeeding calendar year.

(b) A "day" means any period of 24 consecutive hours beginning at midnight.

(c) "Leave of absence" means any period of one day or more with respect to which the officer is excused from duty, other than sick leave.

(d) "Sick leave" means any period of one day or more with respect to which the officer is excused from duty because of sickness, disability, or need of medical services.

(e) "Active duty status" with respect to an officer of the Regular Corps means the period from the effective date of his commission to the effective date of his retirement or the termination of his commission.

(f) "Active duty status" with respect to an officer of the Reserve Corps means the period from the effective date of his being called to active duty to the effective date of his retirement, of his being returned to inactive duty, or of the termination of his commission. (Sec. 209 (c), 58 Stat. 686; 42 U.S.C., Sup., 210 (c))

Leave of Absence

SEC. 2.116 *Accumulation of leave.* Officers' leave shall accumulate at the rate of 30 days for each full year of active duty status and for any portion of a year at the rate of 1 day for each 12 consecutive days of active duty status. Accumulated leave in excess of 120 days at the end of any leave year shall be cancelled. No leave shall accumulate on the basis of any period of leave of absence immediately preceding the termination of active duty status. (Sec. 209 (c), 58 Stat. 686; 42 U.S.C., Sup., 210 (c))

SEC. 2.117 *Carrying over accumulated leave during continued service; terminal leave.* Entitlement to leave of absence based upon leave accumulated but not taken shall not survive the termination of a commission, except that leave accumulated as provided in section 2.116 shall remain available to an officer whose commission is terminated but who, without break in active duty status, receives a new commission. The date of the return of an officer of the Reserve Corps to inactive duty, if prior to the expiration of his commission, shall be so fixed as to

permit him to take his full accumulated leave and, whether the return be voluntary or involuntary, such return shall not become effective prior to the termination of such leave unless the officer files a written election to waive his right to such leave. (Sec. 209 (c), 58 Stat. 686; 42 U.S.C., Sup., 210 (c))

SEC. 2.118 *Granting of leave.* Within the limitations prescribed in sections 2.116 and 2.117, leave of absence with pay may be granted, upon application, by the Surgeon General or by any officer designated by him for such purpose, at such time or times and for such periods as are approved by him, provided that leave of absence not exceeding 30 days may be granted as provided herein as an advance of leave not yet accumulated. No period of absence from duty shall be counted as a leave of absence unless authorized in advance or unless the absence and the reasons therefor are reported as promptly as circumstances permit and the absence is excused by the Surgeon General or by an officer to whom authority is delegated for such purpose. Permission for absences of less than one day may be granted orally and shall not be charged as leave of absence. When absent without leave, officers shall forfeit all pay during such absence, unless the absence is excused by the Surgeon General. (Sec. 209 (c), 58 Stat. 686; 42 U.S.C., Sup., 210 (c)).

SEC. 2.119 *Officers on detail.* The taking and duration of leave of absence by an officer while on detail shall be subject to the approval of the responsible officer of the Executive department, State or political subdivision, or institution to which detailed. The amount of leave so taken shall be reported immediately by the detailed officer to the Surgeon General and deducted from the number of days accumulated as provided in these regulations. (Sec. 209 (c), 58 Stat. 686; 42 U.S.C., Sup., 210 (c)).

Sick Leave

SEC. 2.126 *Reporting of absence; granting of leave.* Absence from duty because of sickness, disability, or need of medical services shall be reported immediately. Every such absence in excess of 3 days shall be supported by a medical certificate which shall be furnished promptly upon the termination of such absence. A medical certificate also shall be furnished promptly at the end of each period of 30 days continuous absence. Sick leave may be granted by the Surgeon General or by any officer to whom authority is delegated for such purpose, to the extent that circumstances justify, but it shall not be granted in advance. (Sec. 209 (c), 58 Stat. 686; 42 U.S.C., Sup., 210 (c)).

SEC. 2.127 *Prolonged or frequent absence; review of status.* Absence from duty on account of sickness or disability for a period of more than 90 consecutive days or for an aggregate of more than 120 days in any one year shall be reported to the Surgeon General, who:

(a) in the case of an officer of the Regular Corps, or of an officer of the Reserve Corps who may be entitled to retirement pay for disability pursuant to section 211

(a) of the Act, shall determine whether a board shall be appointed to advise whether such officer should be retired;

(b) in the case of an officer of the Reserve Corps who is deemed not entitled to retirement pay for disability pursuant to section 211 (a) of the Act, shall determine whether such officer should be continued in active duty status. (Sec. 209 (c), 58 Stat. 686; 42 U.S.C., Sup., 210 (c))

SUBPART H—PROMOTION

Provisions Applicable Both to Regular Corps and Reserve Corps

SEC. 2.131 *Consideration of qualifications.* The Surgeon General shall from time to time appoint boards of officers to examine the qualifications of candidates for promotion as officers. Such boards shall consist of three or more officers, the majority of whom, so far as practicable, shall be of the same profession as the candidate. Such boards shall review the health history, record of physical examination, and the evidence of educational and professional training and experience and of character; shall conduct the oral and written professional examinations provided for in these regulations; and shall report to the Surgeon General their finding whether a candidate is qualified generally, physically, educationally, and professionally for promotion. (Sec. 210 (a), 58 Stat. 687; 42 U.S.C., Sup., 211 (a))

SEC. 2.132 *Physical examination.* Every candidate for promotion as an officer shall undergo a physical examination at such place and by such officers of the Service as the Surgeon General may direct. (Sec. 210 (a), 58 Stat. 687; 42 U.S.C., Sup., 211 (a))

SEC. 2.133 *Effect of disciplinary action.* Nothing contained in this subpart shall be construed to authorize the promotion of an officer if such promotion would be inconsistent with action taken pursuant to the regulations on discipline of officers to reduce the grade, rank, or number of such officer. (Sec. 210 (a), 58 Stat. 687; 42 U.S.C., Sup., 211 (a))

Provisions Applicable Only to Regular Corps

SEC. 2.141 *Eligibility; required length of service.* (a) Each officer of the Regular Corps, other than a medical, dental, sanitary engineer, or pharmacist officer, shall be examined for promotion to the next higher grade within the period of 90 days immediately preceding the completion of the following number of years of active commissioned service in the Public Health Service in the respective grades:

4 years' service in the grade of junior assistant for promotion to the grade of assistant;

3 years' service in the grade of assistant for promotion to the grade of senior assistant;

9 years' service in the grade of senior assistant for promotion to the full grade;

8 years' service in the full grade for promotion to the senior grade;

6 years' service in the senior grade for promotion to the director grade.

(b) For the purpose of promotion of officers originally appointed under the

provisions of the act of April 9, 1930, Chapter 125, 46 Stat. 150, actual service shall be counted as equivalent to active commissioned service to the extent which such act authorized. (Sec. 210 (a), 58 Stat. 687; 42 U.S.C., Sup., 211 (a))

Sec. 2.142 Professional examination. The professional examination for promotion to the assistant, senior assistant, or full grade in the Regular Corps shall be written and shall consist of questions on the same subjects as provided in the case of original appointment in such grades, and, in addition, questions on Service laws and regulations. The professional examination for promotion to a grade above the full grade in the Regular Corps shall consist of a review and evaluation of the candidate's Service record. (Sec. 210 (a), 58 Stat. 687; 42 U.S.C., Sup., 211 (a)).

Sec. 2.143 Delayed examination; effective date of promotion. Should it be impracticable for an officer in the Regular Corps because of illness, duty at an isolated post outside the continental United States or in Alaska, or other justifiable cause, to take the examination for promotion to the next higher grade within the 90-day period immediately preceding the completion of the required period of service, the candidate for promotion shall take such examination as soon thereafter as practicable, and should he pass such examination and otherwise qualify for promotion to the next higher grade, such promotion shall be effective from the date of the completion of the required number of years of service. (Sec. 210 (a), 58 Stat. 687; 42 U.S.C., Sup., 211 (a)).

Sec. 2.144 Promotions formerly prohibited; effective date. An officer in the Regular Corps whose promotion above any grade was prohibited prior to enactment of the Act shall be examined for promotion to the grade to which his length of service would entitle him as soon as practicable after the promulgation of these regulations, and should any such officer pass such examination and otherwise qualify for promotion to the grade to which his length of service makes him eligible, such promotion shall be effective from the date of the completion of the required number of years of service or from the date of the approval of the statutory authority for the promotion to such grade, whichever date is later. (Sec. 210 (a), 58 Stat. 687; 42 U.S.C., Sup., 211 (a)).

Sec. 2.145 Minimum requirements; certification. No officer in the Regular Corps shall be promoted to a higher grade unless the board conducting the examination certifies that the Service record and general fitness of the officer are such as to merit promotion to such grade, and unless in the case of an officer then below the full grade the final average in the professional examination is not below 80. (Sec. 210 (a), 58 Stat. 687; 42 U.S.C., Sup., 211 (a)).

Provisions Applicable Only to Reserve Corps

Sec. 2.151 Eligibility. An officer in the Reserve Corps may be examined for

promotion to a higher grade when he meets the requirements of age, education, and professional training or experience prescribed in these regulations for eligibility for examination for original appointment in such higher grade.

Sec. 2.152 Professional examination. The professional examination shall consist of a review of the officer's Service record, physical condition, experience, and professional qualifications.

Sec. 2.153 In time of war or national emergency. When in time of war or national emergency, the Surgeon General finds, with the approval of the Administrator, that the duties and responsibilities which an officer of the Reserve Corps has been or may be assigned, make it appropriate that such officer be appointed to a higher grade, such officer, upon certification by a board that (1) he has served at least 6 months in his present grade, and (2) his Service record is such as to merit promotion to such higher grade, and (3) he appears to be physically qualified to perform the duties of such higher grade, may be appointed to a higher temporary grade with the pay and allowances thereof, without examination and without regard to whether or not such officer meets the requirements of age, education, and professional training or experience provided in these regulations for eligibility for examination for original appointment to such grade, and without affecting his commission, and, if his service shall have been continuous, without renewing his oath of office.

SUBPART I—SEPARATION OF CERTAIN OFFICERS

Sec. 2.161 Separation of officers of Regular Corps originally appointed in or above senior assistant grade. As soon as practicable after the conclusion of the first three years of service of an officer of the Regular Corps originally appointed in or above the grade of senior assistant, the record of such officer shall be reviewed by a board appointed by the Surgeon General composed of three or more commissioned officers of the Regular Corps, of whom at least one member shall be of the same profession as the officer whose record is under review. If the board finds such officer not fully qualified for further service and if such finding is approved by the Surgeon General and the Administrator, such officer shall be separated from the Service. (Sec. 210 (b), 58 Stat. 687; 42 U.S.C., Sup., 211 (b)).

SUBPART J—RETIREMENT

For Disability

Sec. 2.171 Meaning of terms. For the purposes of this subpart, the term:

(a) "Retirement" means the retirement of an officer with retired pay for service-connected disability;

(b) "Service-connected disability" means in the case of an officer of the Regular Corps a service-aggravated disability or a disability from disease or injury incurred in line of duty, and in the case of an officer of the Reserve Corps a service-aggravated disability or a disability from disease or injury incurred in line of duty in time of war;

(c) "Service-aggravated disability" means in the case of an officer of the Regular Corps disability from pre-existing disease or injury aggravated in line of duty, and in the case of an officer of the Reserve Corps disability from pre-existing disease or injury aggravated in line of duty in time of war;

(d) "Total disability" means a disability which has continued for 90 days and which totally disables an officer for the useful and efficient performance of the duties of his grade.

(e) "Disability from misconduct or wilful neglect" means a disability resulting proximately from an act or omission in violation of a statute or regulation specifically applicable to the conduct of an officer, including disability proximately resulting from the unauthorized private practice of an officer's profession, or disability proximately resulting from an act or omission which in itself is immoral, including disability proximately resulting from intentional self-inflicted injury, and disability proximately resulting from the excessive use of drugs or intoxicating liquors.

(f) "Recovery" means such recovery by a retired officer from his disability that he is not totally disabled.

Sec. 2.172 Generally. An officer shall be retired for service-connected total disability determined to exist in accordance with these regulations.

Sec. 2.173 Effective date. Retirement shall be effective on the first day of the month following the expiration of leave accumulated as of the date of the approval by the Administrator of a finding that the officer should be retired pursuant to these regulations or with respect to an officer of the Reserve Corps transferred to inactive duty after July 1, 1944, but before the date of the promulgation of these regulations, on such earlier date as may be prescribed by the Administrator.

Sec. 2.174 Duration. Retired pay shall continue for life or until the recovery of the officer.

Sec. 2.175 Termination; Regular Corps; recall to active duty. If an officer of the Regular Corps receiving retired pay pursuant to these regulations recovers prior to the date on which he would be retired for age under section 211 (b) of the Act, he shall be recalled to active duty. (Sec. 211 (d), 58 Stat. 688; 42 U.S.C., Sup., 212 (d)).

Sec. 2.176 Termination; Reserve Corps—(a) Termination of retired pay. The retired pay of an officer of the Reserve Corps who recovers shall terminate with the last day of the month in which the Administrator approves a finding that he has recovered.

(b) **Recall to active duty.** If an officer of the Reserve Corps recovers during the period when his commission is in force he shall be subject to call to active duty. (Sec. 211 (d), 58 Stat. 688; 42 U.S.C., Sup., 212 (d)).

Sec. 2.177 Retired officer; review of disability. Each officer receiving retired pay pursuant to these regulations shall submit to such examinations as the Surgeon General may direct.

SEC. 2.178 *Relapse after recovery.* If an officer who is retired pursuant to these regulations and whose retired pay has been terminated on account of his recovery shall again become totally disabled and if his relapse is not due to any new intervening cause, he shall again become entitled to retired pay.

SEC. 2.179 *Board to consider entitlement to, or continuation of, retirement status—(a) Appointment.* The Surgeon General shall appoint a board of officers to advise him whenever it shall appear to him that an officer may be entitled to retirement under these regulations or that a retired officer may have recovered.

(b) *Composition.* A board shall consist of three or more officers of the Service. The majority of the members shall be medical officers and at least one member shall be of the same profession as the officer whose retirement is being considered.

(c) *Powers.* A board may require an officer whose retirement or the termination of whose retired pay is being considered to undergo such examination by officers of the Service as it may direct and to appear before the board and answer any questions or produce any documents in his possession touching upon his health history or his activities at the time when the alleged disability arose or was aggravated.

SEC. 2.180 *Failure to undergo examination or supply information.* An officer whose retirement or the termination of whose retired pay is being considered under these regulations may be denied retirement pay or his retirement pay may be terminated for willful failure to supply any information or undergo any examination required by a board or by the Surgeon General pursuant to these regulations.

SEC. 2.181 *Action by Surgeon General and Administrator.* The Surgeon General may order the retirement of an officer, the termination of the retired pay of a retired officer, or the recall to active duty of a retired officer of the Regular Corps, or make such other order as may be consistent with these regulations, and may, in any case, direct a board to make further investigation and reports or may dissolve a board and appoint another board to complete the investigation of or re-investigate a case. He shall forward to the Administrator any order granting or denying retirement, terminating retired pay, or recalling to active duty an officer of the Regular Corps, together with the report and recommendations of the board. The Administrator (1) may approve the order made by the Surgeon General, (2) may disapprove such order, or (3) may return it to the Surgeon General for the submission of additional facts.

SEC. 2.182 *Presumptions.* The following presumptions shall be applicable with respect to disability; and they shall be overcome only by a preponderance of the evidence:

(a) *Good health when appointed.* It shall be presumed that every officer at the time of his appointment was free from all disease or injury not noted in his record.

(b) *Presumption of service-connection of disability—(1) Regular Corps.* Every disability from disease or injury not existing at the time of the first active service of an officer of the Regular Corps, except a disability from misconduct or wilful neglect, which manifests itself while the officer is on active duty shall be presumed to be a service-connected disability. It shall be presumed that any disability from disease or injury which does not manifest itself within 60 days of the last active service of an officer of the Regular Corps is not a service-connected disability.

(2) *Reserve Corps.* Every disability from disease or injury not existing at the time of the first active service in time of war of an officer of the Reserve Corps, except a disability from misconduct or wilful neglect, which manifests itself while the officer is on active duty in time of war shall be presumed to be a service-connected disability. It shall be presumed that any disability from disease or injury which does not manifest itself within 60 days of the last active service in time of war of an officer of the Reserve Corps is not a service-connected disability.

(c) *Presumption of service-connection of total disability resulting from partial disability previously determined to be service-connected—(1) Regular Corps.* Total disability which results during or within 60 days after the active service of an officer of the Regular Corps from a partial disability previously determined in a proceeding under these regulations to be service-connected shall be presumed to be a service-connected disability.

(2) *Reserve Corps.* Total disability which results during or within 60 days after the active service in time of war of an officer of the Reserve Corps from a partial disability previously determined in a proceeding under these regulations to be service-connected shall be presumed to be a service-connected disability.

(d) *Presumption of service-connection of aggravated disability—(1) Regular Corps.* Disability from pre-existing disease or injury aggravated during or within 60 days after the active service of an officer of the Regular Corps shall be presumed to be a service-connected disability.

(2) *Reserve Corps.* Disability from pre-existing disease or injury aggravated during or within 60 days after the active service in time of war of an officer of the Reserve Corps shall be presumed to be a service-connected disability.

SEC. 2.183 *Transmission of information to certain agencies.* The Surgeon General shall forward to the Veterans' Administration or the U. S. Employees' Compensation Commission, upon request, any record or document or a copy or abstract thereof obtained in a proceeding under these regulations.

SEC. 2.184 *Effective date.* Sections 2.171 to 2.183, inclusive, shall be effective as of July 1, 1944.

For Age

SEC. 2.196 *Recall to active duty in time of war.* In time of war the Surgeon General may order any commissioned

officer of the Regular Corps retired for age to present himself for examination before a board, and may order to active duty any such officer found physically capable of performing the duties to which he may be assigned: *Provided,* That the tour of duty of any officer so recalled shall not extend beyond the last day of the sixth month following the termination of the state of war. (Sec. 211 (d), 58 Stat. 688; 42 U.S.C., Sup., 212 (d))

SUBPART K—DETAIL ON LEAVE WITHOUT PAY

SEC. 2.201 *Generally.* The Surgeon General, with the approval of the Administrator, may place an officer detailed to a State, a political subdivision thereof, or an institution, pursuant to section 214 (b) or 214 (c) of the Act, on leave without pay for such period as may be agreed upon by the Surgeon General, the State health authority or the head of the institution, and the officer. (Sec. 214 (d), 58 Stat. 690; 42 U.S.C., Sup., 215 (d))

SEC. 2.202 *Requirements.* No officer shall be placed on leave without pay pursuant to these regulations unless his services on a leave-without-pay basis have been requested by the State health authority in case of a detail to a State or a political subdivision thereof, or by the officer in charge of the institution in case of a detail to an institution, and he has applied for detail to the State or political subdivision thereof, or institution, on a leave-without-pay basis. (Sec. 214 (d), 58 Stat. 690; 42 U.S.C., Sup., 215 (d))

SUBPART L—UNIFORMS

Male Officers

SEC. 2.211 *Generally.* Except as provided in section 2.212, the uniforms of male officers of the Service shall be the same as the uniforms now or hereafter prescribed for male commissioned officers of the Coast Guard of corresponding grades, except that:

(a) *Insignia.* Public Health Service insignia shall be substituted for Coast Guard insignia other than appropriate insignia of grade, and,

(b) *Miniature corps device on collar tip.* A metal Public Health Service miniature corps device shall be worn on the left shirt collar tip of the slate gray or khaki uniform in lieu of the grade mark worn by commissioned officers of the Coast Guard.

SEC. 2.212 *Correspondence with Army uniforms in certain cases.* The uniforms of male officers of the Service detailed for duty or serving as liaison officers with the Army, or performing such other assignments in such places or under such circumstances as the Surgeon General may from time to time determine make the wearing of Army type uniforms more appropriate, shall be the same as the uniforms now or hereafter prescribed for male commissioned officers of corresponding grades of the Medical Corps of the Army, except that Public Health Service insignia shall be substituted for Army or Army Medical Corps insignia other than the block letters "U. S." and appropriate insignia of grade.

Female Officers

SEC. 2.221 *Generally.* Except as provided in section 2.222, the uniforms of

female officers of the Service shall be the same as the uniforms now or hereafter prescribed for commissioned officers of the Women's Reserve of the Coast Guard (SPARS) of corresponding grades, except that:

(a) *Insignia.* Public Health Service insignia and headgear shall be substituted for SPAR insignia and headgear other than appropriate insignia of grade.

(b) *Sleeve marking.* The sleeve markings of grade worn on each sleeve of the jacket or blouse and overcoat of the blue uniform shall be of gold-colored lace or thread and shall correspond with the sleeve markings of grade worn on the blue uniform of male officers of the Service of corresponding grades. The sleeve markings of grade worn on each sleeve of the jacket or blouse of the white uniform shall be of gold-colored thread.

(c) *Corps device.* A corps device shall be worn on each sleeve of the jacket or blouse of the blue, white, or striped seersucker uniform and of the overcoat. The corps device worn on the blue jacket or blouse and on the overcoat shall be of gold-colored lace or thread. The corps device worn on the white jacket or blouse shall be of gold-colored thread on a white background. The corps device worn on the striped seersucker jacket or blouse shall be of navy blue thread on a white background. A metal miniature corps device shall be worn on each lapel of the jacket or blouse of the blue, white, or striped seersucker uniform.

(d) *Seersucker uniform; miniature grade marking and corps device on collar tips.* A metal miniature grade marking shall be worn on the right collar tip of the dress of the striped seersucker uniform and a metal miniature corps device shall be worn on the left collar tip of the dress of the striped seersucker uniform.

(e) *Headgear.* Headgear for female officers shall consist of: (1) a beret of white material or blue felt with a cap device to be worn at the front or left front, and (2) a garrison cap of striped seersucker or blue of any of the materials authorized for the blue uniform, and to be worn with a metal miniature cap device on the left side and a metal miniature grade mark on the right side. The blue or white beret or the blue garrison cap shall be worn with the blue uniform. The white beret shall be worn with the white uniform. The striped seersucker garrison cap or blue beret shall be worn with the striped seersucker uniform.

SEC. 2.222 *Correspondence with Army Nurse Corps uniforms in certain cases.* The uniforms of female officers of the Service detailed for duty or serving as liaison officers with the Army, or performing such other assignments in such places or under such circumstances as the Surgeon General may from time to time determine make the wearing of Army type uniforms more appropriate, shall be the same as the uniforms now or hereafter prescribed for commissioned officers of the Nurse Corps of the Army of corresponding grades, except that Public Health Service insignia shall be substituted for Army or Army Nurse Corps insignia other than the block let-

ters "U. S." and appropriate insignia of grade.

SEC. 2.223 *Nurses, dietitians, and physical therapists; working uniforms.* Commissioned nurses, dietitians, and physical therapists while on duty at hospitals, or while performing other professional duties in which white working uniforms are customarily worn, shall wear a nurse's conventional white working uniform. A metal miniature corps device shall be worn on the left collar tip of this uniform and a metal miniature grade mark shall be worn on the right collar tip of this uniform, each device being worn one inch from the front edge of the collar.

SEC. 2.224 *Nurses on detail to States.* Officers detailed to State or local health departments while engaged in public health nursing, consisting of home visiting or clinical work, may wear the uniform dress, if any, of the State public health department to which detailed, together with the garrison cap with miniature Public Health Service cap device on the left side and a miniature metal grade mark on the right side. While wearing State health department uniforms such nurses shall wear the same collar-tip insignia as commissioned nurse officers on hospital duty.

Male and Female Officers

SEC. 2.231 *Insignia.* Public Health Service insignia shall be:

(a) *Corps device.* An ornament of gold-colored metal or gold-colored lace or thread consisting of a fouled anchor and caduceus crossed as in the seal of the Service, 1 inch high and 1 inch wide. Except when incorporated as part of the cap device, the corps device shall be so placed on the uniform that the staff of the caduceus is vertical and the anchor is pointing inward. The capital letter "N" shall be superimposed upon the corps device of commissioned nurses, and shall be of white or silver-colored lace or thread or gold-colored metal to correspond with the composition of the corps device.

(b) *Miniature corps device.* A corps device $\frac{1}{16}$ inch high and $\frac{1}{16}$ inch wide.

(c) *Cap device.* An ornament of gold-colored metal or gold-colored lace or thread consisting of a shield with a chief with thirteen stars surmounted with a spread eagle, head dextral, with the whole placed on the corps device, with dimensions as follows:

Height of shield.....	$1\frac{1}{16}$ inches
Height of eagle.....	$\frac{7}{16}$ inch
Wing spread of eagle.....	$2\frac{1}{8}$ inches
Staff of caduceus.....	$2\frac{1}{2}$ inches
Length of anchor.....	$2\frac{1}{2}$ inches

(d) *Miniature cap device.* A cap device with dimensions as follows:

Height of shield.....	$\frac{1}{2}$ inch
Height of eagle.....	$\frac{1}{2}$ inch
Wing spread of eagle.....	$1\frac{1}{16}$ inches
Staff of caduceus.....	$1\frac{1}{16}$ inches
Length of anchor.....	$1\frac{1}{16}$ inches

(e) *Chin strap.* A sliding leather strap faced with gold-colored lace or thread, $\frac{1}{2}$ inch wide, with a center band of maroon running lengthwise, $\frac{1}{16}$ inch wide, with brass eyelets at each end, and with two slides of the same width and

design as the strap at right angles to the strap.

(f) *Buttons.* Buttons of the same composition and arrangement as on the corresponding article of uniform clothing of a commissioned officer of the Coast Guard, Women's Reserve of the Coast Guard (SPARS), Medical Corps of the Army, or Nurse Corps of the Army, with the corps device of the Public Health Service embossed on the button.

SEC. 2.232 *Wearing of uniforms in time of war.* In time of war, officers of the Service on active duty, unless excepted by the Surgeon General, shall appear in uniform.

SEC. 2.233 *Wearing of uniforms in time of peace.* In time of peace, the Surgeon-General shall from time to time designate those stations of the Service at which, and those areas, if any, in which officers of the Service shall wear uniforms.

SEC. 2.234 *Uniform of the day; generally.* The Surgeon General, or such officers as he may designate, shall from time to time prescribe the uniform of the day to be worn at particular stations of the Service or in particular areas at the seasons of the year and on dress occasions, and the Surgeon General, or such officers as he may designate, may also prescribe the circumstances under which uniforms need not be worn.

SEC. 2.235 *Uniform of the day; certain officers.* Officers of the Service detailed for duty with the Army, Navy, Coast Guard, or Coast and Geodetic Survey shall wear the uniform of the day most nearly corresponding to that worn by the unit with which such officers are serving.

SEC. 2.236 *Wearing of uniforms; inactive, retired, or former officers.* Unless authorized by the Surgeon General with the approval of the Administrator, officers of the Reserve Corps on inactive duty and retired officers of the Regular Corps shall not wear uniforms except on occasions of ceremony: *Provided,* That the Surgeon General may authorize an officer to wear the uniform of his grade for a period not to exceed 30 days following the termination of his commission, his transfer to inactive duty, or his retirement. (Sec. 510, 58 Stat. 711; 42 U.S.C., Sup. 228)

Other Persons

SEC. 2.241 *Persons authorized to wear similar insignia or uniforms.* Employees of the Public Health Service while wearing uniforms in accordance with regulations of the Surgeon General approved by the Administrator, members of the U. S. Cadet Nurse Corps, or persons authorized by the Surgeon General to wear a uniform similar to the uniform of members of the United States Cadet Nurse Corps may wear Public Health Service insignia, or insignia similar thereto, or uniforms similar to Public Health Service uniforms. (Sec. 510, 58 Stat. 711; 42 U.S.C., Sup. 228)

SEC. 2.242 *Wearing of certain insignia, or of ornamental jewelry resembling insignia.* Persons not in uniform and not representing themselves to be commissioned officers of the Public

Health Service or members of the United States Cadet Nurse Corps may wear ornamental jewelry resembling Public Health Service insignia, or may wear the corps device, or cap device, or miniatures thereof, in honor of a commissioned officer of the Public Health Service or a member of the United States Cadet Nurse Corps. (Sec. 510, 58 Stat. 711; 42 U.S.C., Sup., 228)

SUBPART M—DECORATIONS

SEC. 2.251 *Military, naval, or foreign government decorations.*—(a) *Campaign decorations.* Medals, ribbons, or decorations authorized to be worn by members of the armed forces to signify service in time of war or at other times or service in any campaign or theater of operations may be worn by commissioned officers of the Service who served or shall serve on active duty during such war or other times or in such campaign or theater of operations, such authorization to be governed by the same rules and regulations as prescribed for the armed forces and for service with or under the jurisdiction of the armed forces.

(b) *Other decorations.* Commissioned officers may be awarded, and may accept and wear, military ribbons, decorations, or medals awarded by the United States or by a foreign government under the same circumstances as may now or hereafter be provided by law in the case of members of the armed forces of the United States. (Sec. 212 (d), 58 Stat. 689; 42 U.S.C., Sup., 213 (d))

SEC. 2.252 *Wound or service chevrons.* Commissioned officers who served or shall serve with the Army during the First World War or the Second World War may wear, with respect to such service, the wound or service chevrons prescribed by the Army.

SEC. 2.253 *Other medals, ribbons, or badges.* Commissioned officers may wear medals, ribbons, or badges awarded to them by the Treasury Department. The distinctive badges adopted by military, hereditary, and patriotic societies composed of persons or descendants of persons who served in the armed forces of the United States or in the Service during the Colonial wars, the War of the Revolution, the War of 1812, the Mexican War, the Civil War, the Spanish-American War, the First World War, and the Second World War, respectively, may be worn on all occasions of ceremony by commissioned officers who are regular members of such organizations and entitled by their rules to wear such decorations.

SUBPART N—DISCIPLINE

General Provisions

SEC. 2.261 *Applicability.* The provisions of this subpart shall apply to all commissioned officers, whether on leave, on active duty, or retired, except that they shall not apply to officers on detail pursuant to section 214 of the Act to the extent that such regulations may be inconsistent with the special service in which they are engaged. Officers detailed for duty with the Army, Navy, or Coast Guard are subject to the laws for the government of the Service to which

detailed. During the effective period of Executive Order 9575 of June 21, 1945, disciplinary action may be initiated, prosecuted, and completed either in accordance with the provisions of the said Order or in accordance with the provisions of this subpart, or as otherwise specified in section 3.21.

SEC. 2.262 *Orders of superior officers.* Officers are required to observe and promptly to obey the lawful orders of the Surgeon General and all other official superiors. Such orders may be written or oral, but all countermmanding orders shall be in writing unless the original order was oral and is countermmanded by the officer who issued it.

SEC. 2.263 *Officer in charge; designation.* The officer in charge of a station shall have authority over all officers serving with him and shall enforce Service regulations and issue and enforce such lawful orders as he may deem necessary for proper administration of the station. As used in these regulations, "officer in charge" means the officer so assigned by the Surgeon General.

SEC. 2.264 *Officers in temporary charge; designation.* In the event of the absence, disability, or death of the officer in charge, the ranking officer assigned to the station shall be in temporary charge and perform the duties of the officer in charge: *Provided,* That at hospital, medical relief, quarantine, and such other stations as the Surgeon General may designate, the next ranking medical officer shall be the officer in temporary charge.

SEC. 2.265 *Officer in temporary charge; authority.* An officer in temporary charge shall make no substantial changes in the regular routine of the station unless such changes are found to be necessary from conditions of emergency or changed circumstances. Any order making such change together with the reasons therefor shall be entered in the files of the station over the signature of the officer in temporary charge.

SEC. 2.266 *Official correspondence.* All official communications written by officers relative to matters of official business shall be forwarded through the officer in charge.

SEC. 2.267 *Furnishing information.* No officer shall publish or furnish for publication any official reports of current statistics of the operations of the Service or any information concerning the Service without authority from the Surgeon General; nor shall an officer publish or offer for publication any article dealing with professional subjects or the policy of the Service unless said articles shall have been submitted to and approved by the Surgeon General or his designated representative. No reports or information concerning the Service shall be volunteered to the press without the consent of the officer in charge, to whom also representatives of the press shall be referred when requesting information.

SEC. 2.268 *Letters of recommendation.* No officer shall give any letter of recommendation with respect to any article

of manufacture or on behalf of any firm or corporation.

SEC. 2.269 *Outside employment.* No officer on active duty shall render any professional services for remuneration except with written approval of the Surgeon General.

SEC. 2.270 *Reporting when detailed.* Officers detailed for duty to other Executive departments or independent establishments of the Government shall report by letter, telegram, or in person to the secretary of such department or head of the independent establishment or to the chief officer of the particular service to which detailed.

SEC. 2.271 *Misconduct.* The following actions or conduct shall constitute grounds for disciplinary action pursuant to these regulations: (a) wilful disobedience of the lawful orders of a superior officer, (b) negligence or carelessness in obeying orders, (c) excessive use of drugs or intoxicating liquors, (d) disorderly or immoral conduct tending to bring discredit upon the officer or upon the Service, or upon both, (e) financial irregularities, (f) use of language disrespectful of official superiors or other officers, (g) any publication or public statement impugning the professional competency or personal character of another officer, (h) waste of public property or knowingly permitting such waste, (i) conviction of a felony or an offense involving moral turpitude, (j) wilful submission of false information in application for appointment or in any proceeding of the Service, (k) abusive treatment of subordinate officers or employees, of patients or beneficiaries of the Service, or of members of the public in their dealings with the Service, (l) absence without leave unless excused for good cause, (m) violation of any regulation prescribed for the government of the Service.

SEC. 2.272 *Summary punishment.* The officer in charge may impose upon an officer subject to his authority the following punishment for misconduct during any period when the latter was so subject: (a) private reprimand; (b) suspension of privileges pending immediate report of such misconduct to, and instruction from, the Surgeon General. Any such action shall be entered on the Service record of the officer. * Such entry shall include the date and nature of the offense and the action taken.

SEC. 2.273 *Leave of absence during pendency of charges.* An officer authorized to grant leave of absence shall not grant leave to an officer against whom charges are pending, but requests for leave at that time shall be referred to the Surgeon General for action.

SEC. 2.274 *Grievances.* If any officer shall consider himself aggrieved by another officer and fails to secure an adjustment of the matter to his satisfaction, he may report such fact in writing through the officer in charge to the Surgeon General.

Boards of Investigation

SEC. 2.281 *Order to appear before board; time limitations.* When an officer

is charged by his superior officer, or by any responsible person or persons, with conduct constituting a ground for disciplinary action under these regulations, he may be ordered to appear before a board of investigation, but no officer shall be so ordered to appear or punished for any offense connected with the Service committed more than one year before the issuance of such order. Any period during which an officer is outside the continental United States or in Alaska or any period during which discovery of the offense was prevented by the giving of false information by or in behalf of an officer shall not be counted as part of such one-year limitation.

Sec. 2.282 How convoked. A board of investigation may be ordered by the Administrator or by the Surgeon General. Such order shall include the time and place of assembly.

Sec. 2.283 Composition. The board shall consist wholly of commissioned officers of the Service and of not less than three members, who shall be appointed by the Administrator upon recommendation of the Surgeon General. The members of the board shall, if practicable, be senior in rank to the accused officer and shall, if practicable, include at least one officer of the same profession as the accused officer.

Sec. 2.284 Authority. The board shall hear the case and make a report of its findings. If the accused officer is found guilty, the board shall make recommendations as to punishment which shall be limited to the following:

- (1) Dismissal from the Service;
- (2) Reduction of grade;
- (3) Reduction of rank number in his own grade;
- (4) Retention of his present number on register for a specified time or until a specified number of officers shall have been promoted over him;
- (5) Official reprimand by circular letter;
- (6) Official reprimand by Surgeon General;
- (7) Any combination of (2), (3), (4), (5), and (6).

Sec. 2.285 Service representative. In connection with any proceeding before a board of investigation, the Surgeon General shall detail an officer of the Service, not liable to be summoned as a witness, to prepare a statement of the charges and specifications against the accused officer and to act in the interest of the government as Service representative before the board. The Service representative shall not be a member, and shall be independent of the control of the board. The Service representative shall investigate all the circumstances of the case. All persons connected with the Service shall furnish the Service representative with such information within their knowledge as he may request. He shall have the right to be furnished with such instructions and papers or copies thereof as may be necessary for his guidance.

Sec. 2.286 Notice of charges; right to counsel. When charges are preferred against an officer for the investigation of

which a board of investigation is ordered, the officer shall be furnished with a copy of such charges and the specifications thereof and shall be notified that he may, if desired, have counsel to aid in his defense.

Sec. 2.287 Presiding officer. The senior officer of the board shall be the presiding officer. He shall (1) preserve order, (2) decide upon matters relating to the routine of business, (3) request the presence of witnesses, (4) administer oaths as required, and (5) adjourn the board from day to day. He shall be authorized at any time to order the exclusion from the room of any person other than the members of the board, the recorder, stenographer, the accused and his counsel, and the Service representative, and to order a closed session limited to members of the board for the purpose of deliberation upon objections to questions and evidence and upon the validity of challenges and pleas, and of formulating its findings and recommendations. Should any member of the board object to a decision of the presiding officer the question shall be submitted to and decided by a majority vote of the board.

Sec. 2.288 Recorder. The junior officer of the board shall be recorder. Under the direction and control of the board it shall be his duty (1) to record the proceedings, (2) to append original documents (or authenticated copies thereof) to the record, (3) to have custody of the record and all documents submitted to the board, (4) to assist the board in systematizing the information it may receive, (5) to render the board such assistance as will enable it to present the facts to the convoking authority, (6) to read the charges and specifications when the accused is arraigned, (7) if practicable to read the record of the proceedings of the preceding session at the opening of each session, (8) as may be directed by the presiding officer, to prepare and send out requests to witnesses to appear and testify, and (9) in conjunction with the presiding officer to authenticate the proceedings by his signature.

Sec. 2.289 Stenographer. Stenographic assistants shall be employed to record the testimony.

Sec. 2.290 The record. Except as otherwise provided, the entire proceedings of the board shall be fully set forth in the record, which shall be signed by the chairman and the recorder. Such record shall be confidential and shall not be disclosed, except for the purposes of the proceedings, provided that the accused and his counsel may be permitted access to the record for the purpose of preparing his defense in such proceedings.

Sec. 2.291 Oath of board members. (a) When the board assembles, the recorder shall read the order convoking it. Such order shall be read in the presence of the Service representative, the stenographer, the accused officer, and his counsel. The recorder shall then administer the following oath to each member of the board: "I do solemnly swear (or affirm) that I will carefully and im-

partially investigate and try the case now about to be opened; that in announcing my conclusions and recommendations to be embodied in the report of this board to be submitted to the convoking authority, I will be governed wholly by the evidence adduced, and I will not be influenced for or against the accused by anything not clearly shown in the recorded evidence; so help me God." The presiding officer shall then administer the same oath to the recorder of the board.

Sec. 2.292 Affirmations. The closing phrase invoking the Deity in the oaths prescribed in these regulations shall be omitted in cases of affirmation.

Sec. 2.293 Oath of recorder and stenographer. The recorder and the stenographic assistants shall then be sworn by the presiding officer to keep a true record of proceedings, as follows: "I do solemnly swear (or affirm) that I will faithfully perform the duties of recorder (or stenographer) to this board, and that I will not divulge any of the proceedings of the investigation; so help me God."

Sec. 2.294 Sessions. The board shall sit daily, except Sundays and holidays, until a decision is reached unless temporarily adjourned or dismissed by the authority which convoked it: *Provided*, That the presiding officer may, for good cause, grant a continuance to either party for such time and as often as may appear to be just. When the proceedings of the board have commenced they shall not be suspended or delayed on account of the absence of any of the members if a majority is present, and in the absence of the accused officer without good cause the board may proceed as if he were present.

Sec. 2.295 Challenges. The presiding officer shall ask the accused whether he objects to being tried by any member of the board, and, in case of objection, he shall state his reasons therefor. The recorder shall enter a minute of the inquiry and of the answer upon the records. A challenged member shall have the right to reply to the accused. All parties except the unchallenged members shall be excluded until a decision has been reached upon the validity of the challenge by the remaining members of the board. Should the challenge be sustained, the facts shall be reported by the presiding officer to the Surgeon General, and if the number of members is reduced below three the board shall adjourn until instructions are received. Each challenge, whenever the accused wishes to challenge more than one member, shall be received and considered separately.

Sec. 2.296 List of witnesses. The Service representative and the accused shall each furnish the presiding officer a list of his witnesses. Other witnesses may be introduced at a later stage of the investigation upon giving reasonable notice. The notice to testify shall be prepared by the recorder and signed by the presiding officer.

Sec. 2.297 Reading of charges and specifications. The recorder shall read

in the presence of the accused the charges and specification of charges preferred against him, and the accused shall be called upon to plead on each specification and charge *seriatim*, as follows: The recorder shall read the specification of the first charge, and the presiding officer shall then address the accused by name and designation and ask whether he is guilty or not guilty of the specification just read. Each specification shall be read and the accused asked to plead in each instance until all of the specifications of the first charge have been covered. Then the charge shall be read and the accused be required to plead to that. The specifications and charges shall be pleaded to in this manner until all have been covered.

SEC. 2.298 Plea to charges. If the accused officer is present and refuses to plead, the presiding officer shall direct a plea of "not guilty" to be entered.

SEC. 2.299 Plea in bar. A plea in bar of investigation shall be in writing, signed by the accused, and appended to the record. Witnesses may be called and arguments submitted by both parties upon such plea. The board shall deliberate upon the matter in closed session, and, upon reopening, the board's decision shall be announced by the presiding officer. If the plea is sustained, a report shall be forwarded to the convoking authority and the board shall adjourn to await further orders.

SEC. 2.300 Preliminary instructions to witnesses. Witnesses other than the accused shall be present only when testifying and shall be warned that they are not to converse on any matter pertaining to the pending investigation.

SEC. 2.301 Calling of witnesses; oath. The witnesses shall be called before the board separately. The presiding officer shall administer to each the following oath: "I do solemnly swear (or affirm) that I will make true answers to such questions as may be propounded to me; so help me God." Witnesses shall be cautioned before giving their testimony to testify only to facts which are within their own knowledge.

SEC. 2.302 Verification of testimony. After the testimony of the witness is closed the whole of his testimony as recorded may be read over to him and, when corrected in such parts as are in error, he shall sign it. The signatures of the witnesses shall be authenticated by the presiding officer of the board.

SEC. 2.303 Witness fees. Upon the application of the presiding officer payment of the usual witness fees to witnesses unconnected with the Government service may be authorized.

SEC. 2.304 Evidence; admissibility. Evidence may be received by the board even though inadmissible under rules of evidence applicable to court procedure. The Service representative or the counsel for the accused may, however, object to the admission of evidence or testimony on the ground that it is irrelevant, immaterial, incompetent, or otherwise improper, and if such objection is overruled by the board he shall be allowed to enter

his objection upon the record. Notwithstanding the provisions of section 2.281 of these regulations, whenever it shall appear to the board to be material to the charges to prove or disprove a particular habit of the accused, evidence as to his record in that regard for a period of three years prior to the order convoking the board shall be admissible.

SEC. 2.305 Depositions. Depositions of individuals who are unable to appear in person before the board and whose testimony is material to a complete investigation of the case may be received, provided that the accused shall be given an opportunity to have a representative present when the deposition is taken.

SEC. 2.306 Order of examination. The evidence on the part of the Service shall be first taken. The evidence for the defense shall be taken when the Service rests. Either side may rest at pleasure. The examination of witnesses shall close by taking such testimony as may be offered in rebuttal, surrebuttal, impeachment, and to sustain the credibility of those witnesses whose testimony an effort has been made to impeach. The board may recall a witness at any stage of the proceedings, provided that the right of cross-examination by the accused and the Service representative shall not be denied. Each witness shall first be examined in chief by the party who summons him, and then cross-examined by the opposite party. In case of new matter being introduced on cross-examination, the party calling the witness may examine him with respect to such matter, and, under like circumstances, a recross-examination shall be permitted. The board may put such questions to the witness as may be deemed necessary; a question by a member of the board generally shall not be asked until the Service representative and the accused have finished their examinations.

SEC. 2.307 Testimony of accused. The accused may, in any case, testify in his own behalf, but his failure to do so shall create no presumption against him. He may decline to answer any questions which may tend to incriminate him.

SEC. 2.308 Defense rebuttal. When the examination of witnesses is closed the accused may present argument in his defense, in writing or orally, in person or by counsel. This statement, if written, may be read before the board. The whole shall become a part of the record.

SEC. 2.309 Reply of Service representative. The Service representative shall have the right to reply to the defense in writing or orally, and this reply shall become a part of the record.

SEC. 2.310 Close of hearing. When the Service representative and the defense have completed their arguments, the hearing shall be closed. The board may, however, before its finding, authorize re-opening for the introduction of new evidence, provided it be shown that the evidence is material and its omission would leave the case incomplete. The board shall then retire to consider the record.

SEC. 2.311 Consideration by board. (a) When the board has sufficiently examined the evidence, the presiding officer shall put the question upon each specification of each charge, beginning with the first, whether the specification is "proved," "not proved," or "proved in part." No written minute of the votes shall be preserved unless so ordered by the unanimous vote of the board. In any oral vote the member of the board who is junior in rank shall vote first. When a majority of the board agrees upon a finding it shall be so recorded.

(b) When the members have voted upon all the specifications of any charge the question shall be put upon the charge to each member, "Is the accused guilty of this charge, or not guilty?" When a majority decision is arrived at, the result shall be recorded. The board shall then proceed to the next charge and specifications until votes have been taken and decisions recorded upon all the charges and specifications.

(c) When the members of the board have voted upon all the charges, if the accused has been found guilty upon any of them the members shall proceed to vote upon the punishment to be recommended. Each member shall write down the punishment which he believes should be recommended and shall hand his vote to the presiding officer, who shall announce the result. If a majority shall not have agreed upon the nature and degree of the punishment to be recommended, the chairman shall proceed, beginning with the mildest punishment that has been proposed and continuing, if necessary, to the next more severe punishment, and so on, successively, until a punishment to be recommended has been decided upon by a majority of the members of the board.

(d) A finding of guilty shall not be entered on a charge other than a charge specified. In case evidence develops which in the opinion of the Service representative warrants additional charges and specifications, appropriate recommendation shall be made with respect thereto by the Service representative to the Surgeon General. The Service representative shall give due notice to the presiding officer, whereupon the board shall await further instructions from the Surgeon General.

SEC. 2.312 Findings and recommendations of board. After all charges and specifications have been voted upon, the recorder, under the direction of the board, shall draw up the findings, specifying as to each charge whether the accused has been found guilty or not guilty, and, on approval by the board, shall enter such findings upon the record, together with the recommendations of the board as to punishment and clemency if the accused has been found guilty of any charge.

SEC. 2.313 Recommendations of board. (a) In arriving at its recommendations as to the nature and degree of the punishment, if any, to be imposed, the board shall take into consideration all previous convictions and the official record of the accused. If mitigating circumstances have appeared during the

proceedings which could not be taken into consideration in determining the degree of guilt found by the verdict, the board may avail itself of such circumstances as grounds for recommending clemency. Any recommendation for clemency shall be inserted immediately after the recommendation as to punishment.

SEC. 2.314 Report to accompany record. The board shall prepare a report to accompany the record and in such report shall review the evidence as a whole, with specific reference to all evidence and to any conclusions of law on controverted questions upon which the findings are based. The report of the board shall be signed by the members concurring; any member or members not concurring, in whole or in part, may submit and sign a minority report.

SEC. 2.315 Transmittal of record and report. After the record (including the transcript of the testimony) and other documents have been signed, they shall be forwarded by the presiding officer to the Surgeon General. The board shall then adjourn pending further orders.

Action Upon Findings and Recommendations of Board

SEC. 2.321 Action by Surgeon General. The Surgeon General shall review the record, report, and recommendations of the board, and may either order further investigation by the board or transmit the papers in the case to the Administrator with his recommendations.

SEC. 2.322 Action by the Administrator. No recommendation for punishment shall be effective until approved by the Administrator. The Administrator shall review the record, report, and recommendations of the board and the recommendations of the Surgeon General, and may either order a further investigation by the board or approve the findings and recommendations in whole or in part; or, upon the basis of the approved findings, he may order punishment or a grant of clemency or other disposition not inconsistent with these regulations. The disposition of a case by the Administrator shall be final.

Part 3—Miscellaneous

SUBPART A—LEPROSY DUTY BY CIVIL SERVICE OFFICERS AND EMPLOYEES

Sec.

3.1 Duty requiring intimate contact with leprosy patients; additional pay for civil service officers or employees.

3.2 Exception respecting certain persons.

SUBPART B—EXERCISE BY THE ADMINISTRATOR OF CERTAIN POWERS OF THE PRESIDENT

3.11 Exercise by the Administrator of certain powers of the President.

SUBPART C—REVOCATIONS

3.21 Revocations.

SUBPART A—LEPROSY DUTY BY CIVIL SERVICE OFFICERS AND EMPLOYEES

SEC. 3.1 Duty requiring intimate contact with leprosy patients; additional pay for civil service officers or employees. Except as provided in section 3.2, civil service officers and employees of the Service shall receive additional pay for duty requiring intimate contact with leprosy patients on the same basis as is set

forth in section 2.91 with respect to officers of the commissioned corps. (Sec. 209 (g), 58 Stat. 687; 42 U.S.C. Supp., 210 (g)).

SEC. 3.2 Exception respecting certain persons. (a) No civil service officer or employee of the Service who is occupying a position allocated at a level above similar positions at general hospital stations of the Service shall receive any additional payment under section 3.1 until the status of such position has been reallocated in accordance with similar positions at general hospital stations of the Service.

(b) Nothing contained in these regulations shall be construed to authorize any reduction during his incumbency in his present assignment of any civil service officer or employee of the Service who on the effective date of section 3.1 was receiving any increase in pay or allowances under the authority of previous law or regulations on account of his detail for duty at a station of the Service devoted to the care of persons afflicted with leprosy. (Sec. 209 (g), 58 Stat. 687; 42 U.S.C., Supp., 210 (g)).

SUBPART B—EXERCISE BY THE ADMINISTRATOR OF CERTAIN POWERS OF THE PRESIDENT

SEC. 3.11 Exercise by the Administrator of certain powers of the President. The Administrator is authorized, in his discretion, to exercise the powers of the President (a) to establish special temporary positions under section 207 (a) of the Act, (b) to terminate reserve commissions under section 208 (a) (2) of the Act, and (c) to specify ports under section 366 (a) of the Act.

SUBPART C—REVOCATIONS

SEC. 3.21 Revocations. (a) The following enumerated paragraphs of the Regulations for the Government of the United States Public Health Service, approved June 18, 1931, as amended, are revoked: 4, 6-8 (incl.), 10-13 (incl.), 16-21 (incl.), 23-31 (incl.), 33-43 (incl.), 45, 49-82 (incl.), 84-87 (incl.), 99-102 (incl.), 118-124 (incl.), 128 except subparagraph (c), 129, 142, 226-259 (incl.), 279-304 (incl.), 306-389 (incl.), 899, and 909-921 (incl.). The revocation of paragraphs 284, 285, 288, and 316-389 (incl.) shall not affect any act done or offense committed under paragraphs 284, 285, and 288, or any proceeding had or commenced in any disciplinary action under paragraphs 316-389 (incl.); and such disciplinary action may be initiated, prosecuted, and completed in accordance with paragraphs 316-389 (incl.) as if such revocation had not been made. Disciplinary action for any act done or offense committed as prescribed in paragraphs 284, 285, and 288 may also be initiated, prosecuted, and completed in accordance with the provisions of these regulations.

(b) Executive Order 9501 of November 21, 1944, entitled "Regulations Governing Recall to Active Duty of Retired Commissioned Officers of the Public Health Service", and Executive Order 9509 of January 8, 1945, entitled "Regulations with Respect to the Uniforms of Commissioned Officers of the Public Health Service, and Governing the Wearing of Such Uniforms", are revoked.

(c) The revocation of Executive Order 9509 shall not revive any of the regulations revoked by paragraph 15 of that order.

HARRY S. TRUMAN

THE WHITE HOUSE,
November 14, 1945.

[F. R. Doc. 45-20836; Filed, Nov. 14, 1945;
2:33 p. m.]

Regulations

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices)

Subchapter C—Regulations Under the Farm Products Inspection Act

PART 55—BUTTER, CHEESE, EGGS, POULTRY, AND DRESSED DOMESTIC RABBITS (SAMPLING, GRADING, GRADE LABELING AND SUPERVISION OF PACKAGING)

MISCELLANEOUS AMENDMENTS

Pursuant to the provisions of the Department of Agriculture Appropriation Act, 1946, approved May 5, 1945 (Public Law 52, 79th Congress), and by virtue of the authority vested in the Secretary of Agriculture, the following amendments of the rules and regulations governing the sampling, grading, grade labeling and supervision of packaging of butter, cheese, eggs, poultry, and dressed domestic rabbits (7 CFR, Cum. Supp., 1943 Supp.) are hereby prescribed and promulgated:

In §§ 55.35, 55.37, and 55.39 strike out the figure \$2.40 and substitute therefor the figure \$2.60.

In §§ 55.39 and 55.41 strike out the figure \$1.20 and substitute therefor the figure \$1.30.

Issued at Washington, D. C., this 14th day of November 1945. Witness my hand and the seal of the Department of Agriculture.

[SEAL] J. B. HUTSON,
Acting Secretary of Agriculture.

[F. R. Doc. 45-20873; Filed, Nov. 15, 1945;
11:23 a. m.]

Chapter IV—Production and Marketing Administration (Crop Insurance)

[Amdt. 2]

PART 413—COTTON CROP INSURANCE REGULATIONS

PAYMENT OF PREMIUM, 1945

The 1945 Cotton Crop Insurance Regulations contained in Part 413 are hereby amended as follows:

Paragraph (a) of § 413.10, is amended to read:

§ 413.10 *Manner of payment of premium.* (a) Each applicant for insurance shall sign a note in the form and manner prescribed by the Corporation. Such note shall represent a promise to pay the Corporation the total premium for all insurance units covered by the insurance contract and shall be payable on or before the maturity date specified

in § 413.46 hereof. Such note shall bear interest after maturity at the rate of one-half of one percent for each calendar month or portion thereof, except that no interest shall be charged on any amount paid within two calendar months after maturity. *Provided, however,* That, if, through no fault of the insured, notification of the amount due is not issued to the insured at least fifteen days before the end of the two calendar month period, then no interest shall be charged on any amount paid within fifteen days after the date of such notification.

Adopted by the Board of Directors on October 24, 1945.

[SEAL] E. D. BERKAW,
Acting Secretary,
Federal Crop Insurance Corporation.

Approved: November 14, 1945.

J. B. HUTSON,
Acting Secretary of Agriculture.
[F. R. Doc. 45-20871; Filed, Nov. 15, 1945;
11:23 a. m.]

[Amdt. 2]

PART 414—WHEAT CROP INSURANCE REGULATIONS

PAYMENT OF PREMIUM

The Wheat Crop Insurance Regulations for Insurance Contracts Covering the 1945, 1946 and 1947 Crop Years contained in Part 414 are hereby amended as follows:

Paragraph (a) of § 414.10, is amended to read:

§ 414.10 *Manner of payment of premium.* (a) Each applicant for insurance shall sign a note in the form and manner prescribed by the Corporation. Such note shall represent a promise to pay the Corporation the total premium for all insurance units covered by the insurance contract and each annual installment of such premium shall be payable on or before the maturity date specified in § 414.45 hereof. Each annual installment or unpaid portion thereof shall bear interest after maturity at the rate of one-half of one percent for each full calendar month or fraction thereof, except that no interest shall be charged on any amount paid within two calendar months after maturity. *Provided, however,* That for the 1945 crop year if, through no fault of the insured, notification of the amount due on the installment is not issued to the insured at least fifteen days before the end of the two calendar month period, then no interest shall be charged on any amount paid within fifteen days after the date of such notification.

Adopted by the Board of Directors on October 24, 1945.

[SEAL] E. D. BERKAW,
Acting Secretary,
Federal Crop Insurance Corporation.

Approved: November 14, 1945.

J. B. HUTSON,
Acting Secretary of Agriculture.
[F. R. Doc. 45-20872; Filed, Nov. 15, 1945;
11:23 a. m.]

[Amdt. 1]

PART 415—FLAX CROP INSURANCE REGULATIONS

PAYMENT OF PREMIUM, 1945

The 1945 Flax Crop Insurance Regulations contained in Part 415 are hereby amended as follows:

Paragraph (a), § 415.9, is amended to read:

§ 415.9 *Manner of payment of premium.* (a) Each applicant for insurance shall sign a note in the form and manner prescribed by the Corporation. Such note shall represent a promise to pay the Corporation the total premium for all insurance units covered by the insurance contract and shall be payable on or before the maturity date specified in § 415.44. Such note or unpaid portion thereof shall bear interest after maturity at the rate of one-half of one percent for each calendar month or fraction thereof, except that no interest shall be charged on any amount paid within two calendar months after maturity. *Provided, however,* That, if, through no fault of the insured, notification of the amount due is not issued to the insured at least fifteen days before the end of the two calendar month period, then no interest shall be charged on any amount paid within fifteen days after the date of such notification.

Adopted by the Board of Directors on October 24, 1945.

[SEAL] E. D. BERKAW,
Acting Secretary,
Federal Crop Insurance Corporation.

Approved: November 14, 1945.

J. B. HUTSON,
Acting Secretary of Agriculture.
[F. R. Doc. 45-20870; Filed, Nov. 15, 1945;
11:23 a. m.]

Chapter VII—Production and Marketing Administration (Agricultural Adjustment)

PART 722—COTTON

COTTON MARKETING QUOTAS FOR 1946-47 MARKETING YEAR AND NATIONAL, STATE, COUNTY AND FARM COTTON ALLOTMENTS FOR 1946

Whereas, the Agricultural Adjustment Act of 1938, as amended, provides for the proclamation of certain data concerning the supply and consumption requirements requisite to the establishment of a national allotment for cotton and marketing quotas for cotton, and

Whereas, said act further provides that the powers therein granted shall not be used to discourage the production of sufficient supplies of foods and fibers to maintain normal domestic consumption, taking into consideration current trends in consumption and export and the quantities of substitutes available at fair prices, and

Whereas, said act further provides that quotas shall be terminated if it is determined that such action is necessary in

order to effectuate the declared policy of the act or to meet a national emergency, and

Whereas, an investigation has been made which reveals that it is necessary, in order to meet the present emergency and to effectuate the declared policy of the act, to dispense with marketing quotas for cotton for the marketing year beginning August 1, 1946, and with national, State, county and farm acreage allotments for cotton for the 1946 crop.

Now, therefore, pursuant to the foregoing authority it is hereby determined and proclaimed that:

§ 722.801 *Findings and determinations.* In order to meet the national emergency and to effectuate the declared policy of the act, cotton marketing quotas will not be in effect with respect to the marketing year beginning August 1, 1946, and no national, State, county or farm acreage allotments for cotton for the 1946 crop will be established under the provisions of Title III of the Agricultural Adjustment Act of 1938, as amended.

(52 Stat. 38, 45, 56, 58, 64, 203; 53 Stat. 1125; 7 U.S.C. 1940 ed. 1301, 1304, 1342, 1343, 1345, 1372)

Issued at Washington, D. C., this 14th day of November 1945.

[SEAL] J. B. HUTSON,
Acting Secretary.

[F. R. Doc. 45-20837; Filed, Nov. 14, 1945;
3:20 p. m.]

Chapter XI—Production and Marketing Administration (War Food Distribution Orders)

[WFO 11, as Amended, Termination]

PART 1401—DAIRY PRODUCTS

MILK MARKETING ECONOMIES

War Food Order No. 11, as amended (8 F.R. 1090, 4751, 5698, 9102; 9 F.R. 4321, 4319, 9584 10 F.R. 103, 10419), is hereby terminated as of 12:01 a. m., e. s. t., November 1, 1945.

With respect to violations, rights accrued, liabilities incurred, or appeals taken under said War Food Order No. 11, as amended, prior to the effective time of this termination order, all of the provisions of the said War Food Order No. 11, as amended, in effect prior to the effective time of this termination order shall be deemed to continue in full force and effect for the purpose of sustaining any proper suit, action, or other proceeding with regard to any such violation, right, liability, or appeal.

(E.O. 9280, 7 F.R. 10179; E.O. 9322, 8 F.R. 3807; E.O. 9334, 8 F.R. 5423; E.O. 9392, 8 F.R. 14783; E.O. 9577, 10 F.R. 8087)

Issued this 13th day of November 1945.

[SEAL] J. B. HUTSON,
Acting Secretary of Agriculture.

[F. R. Doc. 45-20838; Filed, Nov. 14, 1945;
3:20 p. m.]

TITLE 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket No. 5055]

PART 3—DIGEST OF CEASE AND DESIST ORDERS

DIP NET SMELT FISHERMEN'S ASSN. ET AL.

§ 3.27 (d) *Combining or conspiring—To enhance, maintain or unify prices:*
 § 3.27 (h) *Combining or conspiring—To restrain and monopolize trade.* In connection with the offering for sale, sale, and distribution of fish in commerce, and on the part of respondent association and all of its members, respondent members of its managing committee, and four respondents named individually and as members of respondent association, and respondent wholesalers, entering into, continuing, cooperating in, or carrying out any planned common course of action, agreement, understanding, combination, or conspiracy between or among any two or more of said respondents and others not parties to this proceeding, to (1) limit or restrict the total quantity of fish to be caught by the members of the respondent association, or the quantity to be caught by any individual member of said association; (2) fix or establish uniform prices for fish caught by the members of said association, or adhere to or maintain any prices so fixed or established; or (3) enter into or continue in effect any agreement whereby the docks or warehouses of the respondent wholesalers are leased to the respondent association or any of its members, or enter into or continue in effect any other agreement or arrangement whereby the respondent association or its members are enabled to monopolize the dock or warehouse facilities available in Kelso, Washington, for the handling of fish; prohibited, subject to the provision, however, that the order shall not be construed so as to impair any right of the respondent association and its members to organize and act in the manner and to the extent provided for by the Act of Congress authorizing associations of producers of aquatic products, approved June 25, 1934 (48 Stat. 1213-1214; 15 U. S. C., Sec. 521-522). (Sec. 5, 38 Stat. 719, as amended by sec. 3, 52 Stat. 112; 15 U. S. C., sec. 45b) [Cease and desist order, Dip Net Smelt Fishermen's Association et al., Docket 5055, October 8, 1945]

At a regular session of the Federal Trade Commission, held at its office in the City of Washington, D. C., on the 8th day of October, A. D. 1945.

In the Matter of Dip Net Smelt Fishermen's Association, an Unincorporated Association, and Its Committee as Follows: V. G. Davis, Kris Pedersen, and C. W. Fisher; and Its Members, Including the Following as Representatives of the Members: Walter Dixon, A. A. Fisher, Paul Plebuch, and Lloyd Dixon; Columbia River Smelt Corporation, Cowlitz Smelt Company, Olie Soleim, Doing Business Under the Name of Central Smelt Company

This proceeding having been heard by the Federal Trade Commission upon the

complaint of the Commission, the answers of certain of the respondents, testimony and other evidence introduced before a trial examiner of the Commission theretofore duly designated by it, report of the trial examiner and the exceptions thereto, and briefs in support of and in opposition to the complaint (oral argument not having been requested); and the Commission having made its findings as to the facts and its conclusion that the respondents have violated the provisions of the Federal Trade Commission Act:

It is ordered, That respondent Dip Net Smelt Fishermen's Association and all of its members; and respondents V. G. Davis, Kris Pedersen, and C. W. Fisher, members of the managing committee of said association; and respondents Walter Dixon, A. A. Fisher, Paul Plebuch, and Lloyd Dixon, individually and as members of said association; and respondents Columbia River Smelt Corporation, a corporation, Cowlitz Smelt Company, a corporation, and Olie Soleim, individually and trading as Central Smelt Company, these three respondents being hereinafter referred to as "the respondent wholesalers"; and the respondents' respective officers, agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale, and distribution of fish in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from entering into, continuing, cooperating in, or carrying out any planned common course of action, agreement, understanding, combination, or conspiracy between or among any two or more of said respondents, or between any one or more of said respondents and others not parties to this proceeding, to do or perform any of the following acts or things:

1. Limiting or restricting the total quantity of fish to be caught by the members of the respondent association, or the quantity to be caught by any individual member of said association.

2. Fixing or establishing uniform prices for fish caught by the members of said association, or adhering to or maintaining any prices so fixed or established.

3. Entering into or continuing in effect any agreement whereby the docks or warehouses of the respondent wholesalers are leased to the respondent association or any of its members, or entering into or continuing in effect any other agreement or arrangement whereby the respondent association or its members are enabled to monopolize the dock or warehouse facilities available in Kelso, Washington, for the handling of fish.

Provided, however, That this order shall not be construed so as to impair any right of the respondent association and its members to organize and act in the manner and to the extent provided for by the act of Congress authorizing associations of producers of aquatic products, approved June 25, 1934 (48 Stat. 1213-1214; 15 U.S.C., sec. 521-522)

It is further ordered, That the respondents shall, within sixty (60) days after service upon them of this order, file with

the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

By the Commission.

[SEAL]

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-20864; Filed Nov. 15, 1945;
11:09 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter III—Committee for Reciprocity Information

REVISION OF RULES OF PROCEDURE

The rules of procedure of June 1938 as amended on November 9, 1945.

Parts

- 301 Rules of general application.
- 302 Rules applicable to written presentation of views.
- 303 Rules applicable to oral presentation of views.

PART 301—RULES OF GENERAL APPLICATION

Sec.

- 301.1 Creation of Committee.
- 301.2 Functions of Committee.
- 301.3 Office of Committee.
- 301.4 Confidential information.
- 301.5 Action taken upon information received.
- 301.6 Publication of notices.

AUTHORITY: §§ 301.1 to 301.6, inclusive, issued under sec. 4, 48 Stat. 945, as amended by sec. 4, Public Law 130, 79th Cong.; 19 U.S.C. 1354; E.O. 6750, June 27, 1934, as amended by E.O. 9647, October 25, 1945.

§ 301.1 *Creation of Committee.* The Committee for Reciprocity Information, created by Executive Order 6750, issued June 27, 1934, as amended by Executive Order 9647, issued October 25, 1945, consists of members designated from the personnel of their respective agencies by the Chairman of the United States Tariff Commission, the Secretary of State, the Secretary of the Treasury, the Secretary of War, the Secretary of the Navy, the Secretary of Agriculture, the Secretary of Commerce, and the heads of such other agencies as the Secretary of State may designate on the recommendation of the Committee. The Chairman of the Committee shall be designated from among the members of the Committee by the Secretary of State.

§ 301.2 *Functions of Committee.* The Committee shall accord reasonable opportunity to interested persons to present their views on any proposed or existing trade agreement or any aspect thereof.

§ 301.3 *Office of Committee.* The office of the Committee shall be at the Tariff Commission Building, Eighth and E Streets, N. W., Washington 25, D. C., and shall be open on each business day, Monday through Friday, from 8:45 a. m. to 5:15 p. m. (The office is not open on Saturday.)

§ 301.4 *Confidential information.* All information submitted to the Committee by interested parties other than that presented at public hearings is confidential and for the use only of the Committee

and the interdepartmental trade agreements organization.

§ 301.5 *Action taken upon information received.* All information submitted to the Committee, written and oral, is digested for the use of and distributed to all governmental organizations directly concerned with trade agreement matters, or with the particular subject matter to which the information relates.

§ 301.6 *Publication of notices.* Concurrently with the formal notices published by the Department of State of intention to negotiate trade agreements with foreign countries, the Committee publishes notices of the time during which views in writing may be presented, together with the time set for the hearing of oral presentation of views. Such notices are published in the FEDERAL REGISTER, the Department of State Bulletin, the weekly Treasury Decisions, and the Foreign Commerce Weekly.

PART 302—RULES APPLICABLE TO WRITTEN PRESENTATION OF VIEWS

Sec.

302.1 Time and place of submission.

302.2 Number of copies.

302.3 Form of submission.

AUTHORITY: §§ 302.1 to 302.3, inclusive, issued under sec. 4, 48 Stat. 945, as amended by sec. 4, Public Law 130, 79th Cong.; 19 U.S.C. 1354; E.O. 6750, June 27, 1934, as amended by E.O. 9647, October 25, 1945.

§ 302.1 *Time and place of submission.* Notices of the time during which views in writing may be presented for consideration prior to negotiation of a trade agreement are published concurrently with the formal notice of intention to negotiate the agreement. Views in writing should be addressed to the Committee for Reciprocity Information, Tariff Commission Building, Washington 25, D. C. Views in writing can be assured of full consideration only if received by the Committee before the close of the period announced for their submission to the Committee.

§ 302.2 *Number of copies.* Written views must be submitted in not less than ten copies.

§ 302.3 *Form of submission.* No special forms are required in presentation of written views to the Committee other than that they shall be legibly typed, printed, or mimeographed, and at least one copy of those submitted shall be under oath or affirmation.

PART 303—RULES APPLICABLE TO ORAL PRESENTATION OF VIEWS

Sec.

303.1 Request for permission to present oral testimony.

303.2 Notice of permission to present oral testimony.

303.3 Oath.

303.4 Presentation of oral testimony other than at public hearings.

AUTHORITY: §§ 303.1 to 303.4, inclusive, issued under sec. 4, 48 Stat. 945, as amended by sec. 4, Public Law 130, 79th Cong.; 19 U.S.C. 1354; E.O. 6750, June 27, 1934, as amended by E.O. 9647, October 25, 1945.

§ 303.1 *Request for permission to present oral testimony.* Requests to present

No. 225—3

oral views to the Committee at public hearings must be made prior to the expiration of the time for submitting such requests and will be granted only if written views have been submitted by or on behalf of the person making the request. Oral presentations should supplement information contained in written views.

§ 303.2 *Notice of permission to present oral testimony.* After receipt and consideration of requests to present oral testimony, the Committee will notify the applicant whether or not the request is granted, and, if so, the time and place of the hearing.

§ 303.3 *Oath.* All oral statements made to the Committee at public hearings shall be under oath or affirmation.

§ 303.4 *Presentation of oral testimony other than at public hearings.* Persons desiring to make oral presentations to the Committee other than at public hearings may request an informal conference with the Committee. Such conference may be arranged for discussion of any phase of trade agreement matters, and request therefor should be accompanied by a statement of the reasons for the application. Ten copies of such statement should be submitted to the Committee.

EDWARD YARDLEY,
Executive Secretary.

[F. R. Doc. 45-20869; Filed, Nov. 15, 1945;
11:30 a. m.]

TITLE 24—HOUSING CREDIT

Chapter II—Federal Savings and Loan System

[Bulletin No. 46]

PART 207—POWERS OF CONSERVATOR AND CONDUCT OF CONSERVATORSHIPS

DISPOSITION OF CONSERVATORSHIPS

The first two sentences of § 207.4 of the rules and regulations for the Federal Savings and Loan System are hereby repealed, effective November 14, 1945.

(Sec. 5 (a), (d) of H. O. L. A. of 1933, 48 Stat. 132, 133; 12 U.S.C. 1464 (a), (d); E.O. 9070, 7 F.R. 1529)

This amendment is deemed to be of a procedural character within the meaning of § 201.2 of the rules and regulations for the Federal Savings and Loan System.

Dated: November 14, 1945.

JAMES TWOHY,
Governor.
HAROLD LEE,
General Counsel.
ORMOND E. LOOMIS,
Executive Assistant,
to the Commissioner.

[F. R. Doc. 45-20834; Filed, Nov. 14, 1945;
2:20 p. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service

Subchapter Z—Fishery Commodities or Products

[Order 1838, Amdt. 6]

PART 298—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

COORDINATED PILCHARD PRODUCTION PLAN

Pursuant to the provisions of Executive Order No. 9649, of October 29, 1945 (10 F.R. 13431), terminating the Office of Fishery Coordination, but continuing the authority of the Secretary of the Interior to carry out the functions vested in him by Food Directive No. 2 (War Food Order No. 52), of the Secretary of Agriculture, of February 8, 1943 (8 F.R. 1777), as amended (8 F.R. 3280); *It is hereby ordered, That:*

Departmental Order No. 1838, of June 30, 1943 (8 F.R. 9233), as amended (No. 4) June 6, 1945 (10 F.R. 6984), and (No. 5) August 13, 1945 (10 F.R. 10239), Coordinated Pilchard Production Plan (§ 298.1), shall remain in full force and effect. All references in that order to the Coordinator of Fisheries shall be deemed to refer to the Secretary of the Interior. All references to the Office of Fishery Coordination, the Deputy Fishery Coordinator, the Area Coordinator in Area II, and other members of their staffs, shall be deemed to refer to the Fish and Wildlife Service, the Director, Fish and Wildlife Service, the Area Coordinator in Area II of the Fish and Wildlife Service, and other designated members of their respective staffs, as the case may be.

HAROLD L. ICKES,
Secretary of the Interior.

NOVEMBER 9, 1945.

[F. R. Doc. 45-20853; Filed, Nov. 14, 1945;
4:37 p. m.]

Chapter IV—Office of the Coordinator of Fisheries

PART 401—PRODUCTION OF FISHERY COMMODITIES OR PRODUCTS

CROSS REFERENCE: For an amendment to Part 401, see Part 298 of Chapter I of this title, *supra*.

TITLE 32—NATIONAL DEFENSE

Chapter IX—Civilian Production Administration

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9599, 10 F.R. 10165; E.O. 9638, 10 F.R. 12591; CPA Reg. 1, Nov. 5, 1945, 10 F.R. 13714.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[PR 31, as Amended Oct. 1, 1945, Amdt. 4]

BLANKET REVOCATION OF CERTAIN WPB ORDERS

Section 944.52 *Priorities Regulation 31* is amended by adding to the list of orders revoked the following order:

ORDER REVOKED AND EFFECTIVE DATE OF
REVOCATION

BUILDING MATERIALS

Section 3284.76, Part 3284, L-228, Asphalt and Tarred Roofing Products and Asphalt Shingles, November 15, 1945.

Issued this 15th day of November 1945.

CIVILIAN PRODUCTION
ADMINISTRATION,

By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-20909; Filed, Nov. 15, 1945;
11:46 a. m.]

PART 4600—RUBBER, SYNTHETIC RUBBER
AND PRODUCTS THEREOF

[Rubber Order R-1, Appendix II, as Amended
Nov. 15, 1945]

APPENDIX II—MANUFACTURING REGULATIONS

Appendix II, *Manufacturing Regulations*, as amended May 30, 1945, is hereby amended to read as follows:

Appendix II to Rubber Order R-1 establishes certain compounding proportions and manufacturing regulations for many of the products enumerated in Table B of Appendix I to Rubber Order R-1. These compounding proportions and manufacturing regulations are set out in the so-called lists appearing below:

(a) *Limitation on production of rubber products.* No person may manufacture any of the products covered by the lists set out in this Appendix II except in accordance with the restrictions and regulations in the list applicable to the product.

(1) The regulations set forth in the lists apply to all purchase orders.

(2) The regulations in the lists are not applicable to the manufacture of experimental products or experimental compounds designed for:

(i) The substitution of synthetic rubber, reclaimed rubber or scrap rubber for natural rubber and natural rubber latex.

(ii) The conservation of natural rubber, natural rubber latex, butyl rubber and chlorinated natural rubber.

(b) *General provisions.* (1) The total rubber hydrocarbon (designated total RHC in this appendix) is the sum total of natural rubber, synthetic rubber and the rubber hydrocarbon value of reclaimed rubber. The rubber hydrocarbon value of reclaimed rubber shall be calculated from the rubber value of reclaimed rubber as certified by the manufacturer of the reclaimed rubber and shall be determined by the "difference, or indirect" method.

(2) References to Army, Navy, Federal, Railroad, etc., specifications by number mean the latest issue or amendment of the particular specifications.

TABLE OF LISTS INCLUDED IN APPENDIX II

Number	Title
2	Tire and flap curing bags.
3	Airplane tire tubes.
5	Rubber footwear.
6	Manufacture and identification of tires and tire casings.
7	Tire and tube repair materials.
8	Tires and tire casings (except airplane and bicycle tires).
9	Tire tubes (except airplane and bicycle tire tubes).
10	Tire flaps.

TABLE OF LISTS INCLUDED IN APPENDIX II—Con.

Number	Title
12	Airplane tires and tire casings.
13	Retreading materials.
14	Tank tracks and band tracks.
15	Use of high-tensacity rayon cord.
16	Tire tube valves (except bicycle tire tube valves).
17	Bicycle tires and tubes.

LIST 2—MANUFACTURE OF TIRE AND FLAP
CURING BAGS

(a) *Manufacturing regulations.* The manufacture of tire and flap curing bags of all sizes and types is subject only to the following regulations:

The use of natural rubber in the manufacture of tire and flap curing bags shall be in conformity with Table A.

TABLE A

Size	Type	Maximum natural rubber, by volume, in curing bag, per tire cured, in percent of the total RHC of the tire cured ¹
All	Passenger	.4
All	Motorcycle	.4
15" and 16" rim diameter	Industrial	.4
All (except 15" and 16" rim diameter)	do	2.0
15" and 16" rim diameter	Farm tractor	.4
All (except 15" and 16" rim diameter)	do	1.1
6.00 through 11.00, all rim diameters	Truck	.4
12.00 and 13.00, all rim diameters	do	1.0
14.00, all rim diameters	do	1.2
16.00 up, all rim diameters	do	1.6
All 4 ply	Airplane	13.0
All 6 ply	do	8.0
All 8 ply	do	3.8
All 10 ply	do	2.9
All 12 ply	do	2.0
All 14 and 16 ply	do	1.5
All 18 ply up	do	.8
7.50 through 10.00, all rim diameters	Grader	.5
11.00 through 14.00, all rim diameters	do	1.2
All	Bicycle	1.0
All	Flap bags	1.0

¹ Additional natural rubber may be consumed in curing bags if such rubber is deducted from the allowable natural rubber permitted in the manufacture of the tire being cured, or from tires within the specific group in which said tire is grouped.

² Natural rubber and natural rubber latex permitted only in valves, valve adhesion pads, splicing gum strips and cements, and identification inks and cements.

(b) *Marking of synthetic curing bags.* All curing bags containing synthetic rubber shall have a permanent circumferential colored stripe at least three-eighths inch wide applied on the base section of the bag. The appropriate color shall be determined from paragraph (a) of List 6.

LIST 3—MANUFACTURE OF AIRPLANE TIRE
TUBES

(a) *General provisions.* The natural rubber content of any tube governed by this List 3 shall not include processing losses or natural rubber used in valves.

(b) *Manufacturing regulations.* (1) Tubes of any size and type may be manufactured, provided that natural rubber and natural rubber latex are consumed only in valves (where permitted in List 16), valve adhesion pads, splicing gum strips and cements, and identification inks and cements.

(2) The manufacture of tubes consuming more natural rubber than permitted by paragraph (b) (1) of this List 3 shall be limited to the sizes and types listed in Table A, subject to the maximum natural rubber content designated therefor.

TABLE A

Size	Type	Maximum content natural rubber in pounds
65	S. C. Landing wheel tubes	29.10
27 SCB	S. C. Nose wheel tubes	4.60
30 SCB	do	5.70
33 SCB	do	6.10
36 SCB	do	7.20
19.00 SCA	do	1.89
23.00 SCA	S. C. Nose wheel tubes	2.70
26.00 SCA	do	3.60
30.00 SCA	do	4.90
10 1/4 x 4	High pressure tailwheel tubes	.62
12 1/2 x 4 1/2	do	.81
14 1/2 x 5	do	1.19
8.50 x 10	Low pressure landing wheel tubes	2.28
15.00-16 DO	do	8.35
15.00-16 FB	do	8.35
16.00-18	do	8.35
17.00-16	do	9.54
18.00-16	do	9.54
20.00-18	do	11.45
17.00-20	do	12.40
19.00-23	do	14.80
45 x 20-10	Extra low pressure landing wheel tubes	10.00

(c) *Marking of synthetic tubes.* All tubes containing synthetic rubber shall have a permanent circumferential colored stripe at least three-eighths inch wide applied on the base section of the tube. The appropriate color shall be determined from paragraph (a) of List 6.

LIST 5—MANUFACTURE OF RUBBER FOOTWEAR

(a) *General provisions.* (1) The manufacture of rubber footwear and canvas rubber soled shoes shall be limited to the items shown in paragraphs (b), (c) and (d) of this List 5.

(2) All rubber footwear in paragraphs (b) and (c) shall be manufactured in black color compound only.

(3) Unlimited plus or minus variations from average weight of total natural rubber per pair is permitted provided the over-all consumption of natural rubber does not exceed total permitted consumption on the basis of listed ceilings for all items manufactured.

(b) *Essential health items.*

Average weight of natural rubber per pair maximum (not over 70% of which shall be natural rubber other than guayule on a net basis) (in pounds)

Men's short boots—regulation height	.55
Women's short boots (molded heel)	.33
Men's lumber—over	.35
Men's 2-buckle perfection	.60
Men's 5-buckle rubber mid-weight arctic	.50
Men's 4-buckle rubber mid-weight arctic	.42
Men's 4-buckle rubber light-weight arctic	.34
Men's 4-buckle cloth farm-weight arctic	.34
Men's 4-buckle cloth light-weight arctic	.24
Boy's 3-buckle rubber light-weight arctic	.24
Youth's 3-buckle rubber light-weight arctic	.23
Women's 4-buckle rubber light-weight arctic	.24
Women's 2-snap gaiter (rubber)	.12
Misses' 2-snap gaiter (rubber)	.12
Child's 2-snap gaiter (rubber)	.10
Men's 2-buckle work rubber	.28
Men's work rubber—storm & semi-storm	.24
Boy's storm work rubber	.20

Average weight of natural rubber per pair maximum (not over 70% of which shall be natural rubber other than guayule on a net basis) (in pounds)

Men's dress rubber—storm, over & clog (full lined) .....	.16
Men's sandal (molded) .....	.15
Men's clog (molded) .....	.13
Boy's dress rubber—storm & over (soft black only) .....	.13
Youth's storm rubber .....	.11
Women's toe rubber .....	.05
Growing girls' storm rubber .....	.11
Misses' storm rubber .....	.11
Women's over .....	.11
Child's storm rubber .....	.09
Women's 10½" over-the-shoe arctic .....	.19
Misses' 9" over-the-shoe arctic .....	.19
Child's 8" over-the-shoe arctic .....	.17

(c) Severe occupational items.

Men's short boot (plain toe) .....	.70
Men's short boot (steel toe) .....	.75
Men's storm king boot (plain toe) .....	.90
Men's storm king boot (steel toe) .....	.95
Men's storm king fireman's boot (plain toe) .....	.90
Men's hip boot and thigh (plain toe)	1.15
Men's hip boot and thigh (steel toe)	1.20
Men's 15" lace pac (plain toe) .....	.70
Men's 15" lace pac (steel toe) .....	.75
Men's 10" mine pac (plain toe) .....	.60
Men's 10" mine pac (steel toe) .....	.65
Men's work shoe (plain toe) .....	.55
Men's work shoe (steel toe) .....	.60
Women's work shoe (plain toe) .....	.55
Men's body boot	1.80

(d) Canvas rubber soled shoes of vulcanized construction.

Men's, Boy's, Youth's, Little Gent's, Women's, Misses' and Child's. Average consumption of natural rubber limited to27
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LIST 6—MANUFACTURE AND IDENTIFICATION OF TIRES AND TIRE CASINGS

(a) Synthetic rubbers. The identification of the various types of synthetic rubber is effected by designating each type by a letter and a color.

Letter	Color	Type of synthetic
S	Red	GR-S.
M	Yellow	GR-M (Neoprene).
I	Light blue	GR-I (Butyl).

(b) Synthetic tire constructions. (1) The distribution of synthetic rubber in tires and tire casings is controlled by the following synthetic construction identification numbers, which indicate the proportion of synthetic rubber to natural rubber, and the placement of the synthetic rubber:

Synthetic construction identification numbers:	Type of synthetic
S-3, S-4, S-5, etc.	GR-S

(2) S-3 denotes 100% GR-S tread on a 100% GR-S carcass, except that: Natural rubber may be used throughout the tire at the manufacturer's discretion, but shall not exceed, by weight, the following percentage of the total RHC:

	Percent
Passenger and motorcycle	See List 8.
Truck	do.
Airplane	2.00.
Combat	See List 8.
All other (except bicycle)	do.

Individual sizes may exceed the indicated maximum percentage, *Provided*, That the average natural rubber content of all sizes of the same type of tire does not exceed the indicated maximum percentage.

(3) S-4 denotes approximately 90% GR-S and 10% natural rubber, distributed throughout the tire at the manufacturer's discretion.

(4) S-5 denotes 100% GR-S tread on a natural rubber carcass, except that: Natural rubber may be used only in cements, in tread and side-wall splice gum strips and in the tire body.

(5) S-6 denotes approximately 70% GR-S and 30% natural rubber, distributed throughout the tire at the manufacturer's discretion.

(6) S-7 denotes approximately 35% GR-S and 65% natural rubber, distributed throughout the tire at the manufacturer's discretion.

(7) S-8 denotes approximately 93% GR-S and 7% natural rubber, distributed throughout the tire at the manufacturer's discretion.

(8) S-9 denotes approximately 80% GR-S and 20% natural rubber, distributed throughout the tire at the manufacturer's discretion.

(9) S-10 denotes approximately 50% GR-S and 50% natural rubber, distributed throughout the tire at the manufacturer's discretion.

(10) S-11 denotes 100% GR-S sidewall on a tire having natural rubber carcass and tread, except that: Natural rubber may be used only in cements, in sidewall splice gum strips and in the tire body and tread. Use of synthetic rubber in the bead assembly is permissible but not mandatory.

LIST 7—MANUFACTURE OF TIRE AND TUBE REPAIR MATERIALS

(a) Manufacturing regulations. (1) Any tire or tube repair material may be manufactured provided that no natural rubber or natural rubber latex is consumed in the manufacture of such items.

(2) The manufacture of tire and tube repair materials consuming natural rubber shall be limited to the items shown in this paragraph (a) (2), subject to the compounding regulations designated therefor.

Description of item	Maximum percent, by volume, of natural rubber in compound
(i) Bulk tire repair materials:	
(a) Tread repair stock (¼" max. ga.)	30.0
(b) Repair cushion stock	40.0
(c) Cord repair friction (0.047 max. ga.)	40.0
(d) Sq. woven fabric friction	40.0
(e) Cements (cold cure)	(¹)
(f) Cements (vulcanizing)	(²)
(ii) Tire patches: (³)	
(a) Uncured-vulcanizing type:	
Body	40.0
Facing	40.0
(b) Cured and semi-cured vulcanizing type:	
Body	0.0
Facing	40.0
(c) Temporary emergency cold cure type (composite)	5.0
(iii) Tube patches:	
(a) Combination tube repair gum (cured back, uncured face)	(⁴)
(b) Tube repair gum (uncured)	40.0
(c) Hot patch gum (uncured)	60.0
(d) Truck tube valve repair patches (composite)	60.0
(e) Tube replacement valve facing	60.0
(iv) Sectional bags	(⁵)

¹ Maximum 0.20 pound natural rubber per gal.

² As required.

³ Natural rubber may be consumed in cements for adhesion purposes in manufacturing tire patches.

⁴ Maximum 1.15 pounds natural rubber per square yard.

⁵ Maximum of 80% natural rubber, by volume of the sum of the total RHC.

(b) Restrictions. (1) In items (ii) (c), (iii) (a), and (iii) (d), different grades of compounds may be used in the cured and uncured portions of each provided the total natural rubber content in the whole item does not exceed the percent represented by the compound grade specified.

(2) Repair kits (except garage kits) containing any of the above materials shall not contain more than 20 square inches of combination tube repair gum, nor more than 1.5 cubic inches of any rubber cement.

(3) Garage kits containing any of the above materials shall contain not more than 300 square inches of combination tube repair gum and not more than ¼ pint of rubber cement.

(4) The use of cements as manufactured in accordance with (a) Manufacturing regulations (2) (i) (e) and (f) shall be limited to the reconditioning of tires and tubes.

(5) Item (2) (i) (e)—Cements (cold cure) may be packed only in containers of one quart or smaller.

LIST 8—MANUFACTURE OF TIRES AND TIRE CASINGS (EXCEPT AIRPLANE AND BICYCLE TIRES)

(a) General provisions. (1) The natural rubber content of any tire or tire casing governed by this List 8 shall not include processing losses or natural rubber used in curing bags.

(2) No natural rubber latex shall be consumed in the cord treatment. Dispersions of natural rubber may be used for cord treatment and the amount of natural rubber solids so consumed shall be included in the maximum content natural rubber permitted for each tire.

(3) The use of rayon in the manufacture of tires and tire casings governed by this List 8 shall conform to the regulations set forth in List 15.

(4) Fewer plies of 2200 denier rayon cord may be used than specified for standard cord provided "ply rating" as defined by current Tire and Rim Association standards is not reduced. The same permitted "maximum content natural rubber" shall remain in effect.

(5) Only 100 level tires as commonly known to the tire industry may be manufactured in any size, ply and type, and that grade must be consistent with maintaining a quality adequate for the service for which the tire is designed. All types of pneumatic tires shall be manufactured with black sidewalls only.

(6) Single marked high pressure type tires or single marked balloon type tires may be substituted for dual marked type tires.

(b) Manufacturing regulations. (1) Pneumatic tires of any size, ply and tread type may be manufactured provided that they conform to the regulations for S-3 synthetic construction tires in Table A of this List 8. Individual sizes may exceed the indicated maximum percentage, provided that the average natural rubber content of all sizes of the same type of tire does not exceed the indicated maximum percentage.

(2) Solid tires (except bogle, idler and support rollers), including cured-on solid tires, 4" x 1½" up, and lug base industrial (unbonded) type may be manufactured, provided, that natural rubber is consumed only as follows:

Hard rubber base type. Natural rubber shall be consumed only in cements and/or hard base and shall not exceed, by weight, ten percent of the total RHC.

Tie-gum base (soft base) type. Natural rubber shall be consumed only in cement and/or tie gum and shall not exceed, by weight, eight percent of the total RHC. Individual sizes may exceed the eight percent maximum, *Provided*, That the average natural rubber content of all sizes does not exceed the eight percent maximum.

TABLE B—SPECIAL PURPOSE TIRES—continued

Size	Ply	Tread type	Construction	Maximum content natural rubber in pounds ¹	
				Rayon	Cotton
16.00-24	20	Rock service	S-7		234.00
18.00-24	20	do	S-7		265.00
20.00-24	20	do	S-7		310.00
21.00-24	20	do	S-7		296.00
22.00-24	20	do	S-7		325.00
24.00-24	20	do	S-7		436.00
8.25-20	10	Logger	S-7		463.00
9.00-20	10	do	S-7		30.00
10.00-20	12	do	S-7		37.00
11.00-20	12	do	S-7		44.00
12.00-20	12	do	S-7		49.00
13.00-20	12	do	S-7		52.00
14.00-20	12	do	S-7		55.00
16.00-24	16	Mud-snow	S-7		218.00
18.00-24	16	do	S-7		232.00
20.00-24	16	do	S-7		300.00
21.00-24	16	do	S-7		310.00
22.00-24	16	do	S-7		370.00
24.00-28	24	do	S-7		420.00
26.00-28	24	do	S-7		448.00
28.00-32	28	do	S-7		505.00
30.00-32	28	do	S-7		715.00
7.00-12	12	Industrial	S-4		2.70
8.00-12	10	Ribbed (flat base)	S-4		2.60
9.00-12	10	do	S-4		3.00
10.00-12	10	do	S-4		3.40
11.00-12	10	do	S-4		5.00
12.00-12	10	do	S-4		4.60
13.00-12	10	Traction (flat base)	S-4		6.80
14.00-12	10	Traction (drop center)	S-4		7.10
15.00-12	8	do	S-4		8.10
16.00-12	8	do	S-4		8.10
17.00-12	8	do	S-4		8.20
18.00-12	8	do	S-4		9.60
19.00-12	8	do	S-4		9.00
20.00-12	8	do	S-4		10.00
21.00-12	8	do	S-4		11.30
22.00-12	8	do	S-4		19.00
23.00-12	8	do	S-4		12.30
24.00-12	8	do	S-4		15.50
8.00-16		Combat	S-4	4.90	
8.25-20		do	S-6	26.00	
9.00-20		do	S-6	30.00	
14.00-20		do	S-11	210.00	

TABLE C—BOGIE, IDLER AND SUPPORT ROLLERS

Description of product:	Maximum percent, by weight, of total RHC which may be natural rubber
Bogie wheels:	
26 x 6	8
20 1/4 x 6 1/4	8
25 1/4 x 4 1/4	8
20 x 6 x 16	8
14 x 4 1/2	8
12 x 4 1/2	8
20 x 3	8
8 x 1 1/4	8
20 x 9 x 16	(1)
12 x 7 1/4	(1)
Idler wheels:	
22 x 6 1/4	8
19 x 3	8
7 x 7 1/4	8
Support rollers:	
14 x 3	8
13 1/2 x 3 3/4	8
10 x 5	8
11 x 3	8
9 x 6	8
7 1/4 x 1 1/4	8
24 x 7 1/4	(1)
All other	(1)

¹ As needed.

(c) *Branding of synthetic tires.* (1) All synthetic tires or tire casings shall have a colored dot, either circular or rectangular (with or without rounded corners or ends) and with an average effective dimension of at least one inch, vulcanized on both sides of the tire, appropriate color to be determined from paragraph (a) of List 6. In addition, all synthetic pneumatic tires or tire casings shall bear, on both sides of the tire and in characters at least five-eighths inch high, a brand showing the appropriate synthetic construction identification. The colored dot and the brand shall be permanent and may be superimposed if desired. The

color dot and synthetic construction identification may be smaller than the designated minimum on sizes of tires for which the designated minimum is unreasonably large.

(d) *Definitions.* (1) Where used in this List 8, "Highway" as applied to tread type means regular skid-depth, "100" level, on-the-road type.

(2) Where used in this List 8, "Mud-snow" as applied to tread type means extra traction, on-and-off-the-road type.

LIST 9—MANUFACTURE OF TIRE TUBES (EXCEPT AIRPLANE AND BICYCLE TIRE TUBES)

(a) *Manufacturing regulations.* (1) Tubes of any size and type may be manufactured, provided, That:

(i) Natural rubber and natural rubber latex are consumed only in valves (where permitted in List 16), valve adhesion pads, splicing gum strips and cements, and identification inks and cements.

(ii) Passenger car tubes of all types shall contain not more than 0.02 pound of natural rubber per tube.

(2) The manufacture of tubes consuming more natural rubber than permitted by paragraph (a) (1) (i) of this List 9 is prohibited.

(3) The manufacture of tubes from GR-I shall be limited to the sizes and types listed in the following Table A:

TABLE A—GR-I TUBES

Size:	Type
6.00-16	Passenger. ¹
6.00-16	Truck. ¹
All	Combat (U. S.).
6.00-17	Truck and bus.
6.00-20	Do.
6.50 and larger, all rim diameters	Do.
6.50 and larger, all rim diameters	Passenger.
All	Motorcycle.

¹ For military orders only.

TABLE A—GR-I TUBES—continued

Size:	Type
All	Pneumatic Industrial.
All	Tractor and Implement; except 5.50-16 and 6.00-16.

(b) *Marking of synthetic tubes.* All tubes containing synthetic rubber shall have a permanent circumferential colored stripe at least three-eighths inch wide applied on the base section of the tube. The appropriate color shall be determined from paragraph (a) of List 6.

LIST 10—MANUFACTURE OF TIRE FLAPS

(a) *Manufacturing regulations.* Flaps for all sizes and types of tires may be manufactured, provided, that natural rubber is consumed only for splicing cements and for identification inks or cements.

(b) *Marking of synthetic flaps.* All flaps containing synthetic rubber shall have a permanent circumferential colored stripe at least three-eighths inch wide applied on either side of the flap. The appropriate color shall be determined from paragraph (a) of List 6.

LIST 12—MANUFACTURE OF AIRPLANE TIRES AND TIRE CASINGS

(a) *General provisions.* (1) The natural rubber content of any tire or tire casing governed by this List 12 shall not include processing losses, natural rubber used in curing bags or natural rubber latex used in the cord treatment. Natural rubber latex, however, may be consumed only in the treatment of nylon cord. Dispersions of natural rubber may be used for cord treatment and the amount of natural rubber solids so consumed shall be included in the maximum content natural rubber permitted for each tire.

(b) *Manufacturing regulations.* The manufacture of airplane tires and tire casings shall be limited to the sizes, plies and tread types listed in this paragraph (b) subject to the maximum natural rubber contents designated therefor.

TABLE A—AIRPLANE TIRES

Size	Ply	Type	Construction and maximum content natural rubber in pounds (Rayon or Nylon 8-6)
27	8	I (smooth contour landing)	4.20
30	8	do	4.75
33	8	do	6.00
36	10	do	8.65
39	10	do	10.25
44	10	do	12.80
47	12	do	18.75
51	14	do	24.00
56	16	do	32.00
56	18	do	35.00
65	18	do	58.00
65	22	do	60.00
8.00	4	I (smooth contour auxiliary)	.45
10.00	6	do	.75
12.50	6	do	1.35
14.50	6	do	1.90
17.00	8	do	1.60
19.00	8	do	2.00
23.00	8	do	3.10
26.00	10	do	4.75
30.00	10	do	6.00
26 x 6	8	II (high pressure landing)	3.50
26 x 6	8	II (high pressure landing) (channel)	4.15
30 x 7	8	II (high pressure landing)	4.20
32 x 8	8	do	5.50
34 x 9	10	do	7.30
10 x 3	4	II (high pressure auxiliary)	.30
6.00-6	4	III (low pressure landing)	1.10
6.50-10	4	do	1.90
7.00-4	4	do	1.20
7.00-6	4	do	1.20
7.50-10	4	do	2.20
8.00-4	4	do	1.40
8.50-10	6	do	2.65

TABLE A—AIRPLANE TIRES—continued

Size	Ply	Type	Construction and maximum content natural rubber in pounds (Rayon or Nylon 8-6)
8.90-12.50	4	III (low pressure landing)	2.70
15.00-16	8	do	11.70
15.00-16	10	do	12.90
15.50-16	12	do	14.00
15.50-20	12	do	18.50
16.00-16	12	do	16.80
17.00-16	10	do	17.00
17.00-20	14	do	24.10
18.00-16	12	do	17.00
19.00-23	16	do	32.50
20.00-18	12	do	20.00
5.00-4	6	III (low pressure auxiliary)	.75
7.00-5	4	do	1.20
8.00-5	6	do	1.80
9.00-6	8	do	4.00
10.00-7	10	do	4.35
9.50-12	6	III (low pressure beaching gear)	3.40
11.00-12	8	do	4.80
12.50-14	10	do	8.50
29 x 13-5	6	IV (extra low pressure landing)	4.70
30 x 13-6	6	do	6.00
35 x 15-6	6	do	7.30
45 x 20-10	10	do	20.90
12 x 5-3	4	IV (extra low pressure auxiliary)	.65
16 x 7-3	4	do	.65
18 x 8-3	4	do	.90
16 x 5.80-8.50	6	VI (low profile auxiliary)	1.15
19 x 6.80-10	6	do	1.70
22 x 7.25-11.50	6	do	2.15
26 x 9.00-13.00	8	do	3.40
30 x 10.50-15	10	do	6.70
33 x 11.50-16.50	10	do	7.00
36 x 12.50-18	12	do	11.45
10½ x 4	6	VII (high pressure auxiliary)	.60
12½ x 4½	8	do	13.40
14½ x 5	8	do	1.35
26 x 6.6	10	VII (high pressure special duty)	5.15
24 x 7.7	8	do	4.80
30 x 7.7	8	do	6.20
32 x 8.8	10	do	8.90
34 x 9.9	10	do	9.05
36 x 11	10	do	10.80
38 x 11	12	do	12.80
40 x 12	12	do	15.00
42 x 12	12	do	16.00
44 x 13	14	do	19.30
46 x 14	16	do	25.90
All	All	Ice grip	(¹)
All	All	Solid auxiliary	(²)

¹ Natural rubber construction.

² Carcass friction for ice grip tires shall be identical to those used in like sizes for regular tires in above table. Natural rubber and synthetic rubber may be used in treads without limitation.

³ 8 percent of total RHC by weight permitted for tie-gum and cements.

(c) *Branding of synthetic airplane tires.* All synthetic airplane tires or tire casings shall have a brand permanently vulcanized on both sides of the tire, consisting of the appropriate synthetic construction identification, in characters at least three-eighths inch high, super-imposed upon a rectangular colored medallion (with or without rounded corners or ends) at least five-eighths inch wide and one and one-fourth inches long, the appropriate color to be determined from paragraph (a) of List 6. When a brand with dimensions larger than the designated minimums is used, its dimensions shall be in the same relative proportions as the designated minimums.

LIST 13—MANUFACTURE OF RETREADING MATERIALS INCLUDING CAMELBACK (WING-DIE), CAPPING STOCK (BEVEL-DIE), LUG STOCK, BASE STOCK, PADDING STOCK, STRIPPING STOCK, FILLER STRIP AND FULL CIRCLE CURING TUBES

(a) *General provisions.* Natural rubber may be consumed in cements for application of cushion gum and in inks or cements for identification purposes.

(b) *Manufacturing regulations.* (1) The

manufacture of retreading materials shall be limited to camelback (wing-die), capping stock (bevel-die), lug stock, base stock, padding stock, stripping stock, filler strip and cushion gum for application by the manufacturer to camelback, capping stock, lug stock and base stock and full circle curing tubes.

(2) The compounds used in manufacturing the items permitted by paragraph (b) (1) of this List 13 shall conform to the regulations shown in the following table.

RETREADING MATERIALS

Description of product	Percent by volume in compound					Restrictions
	Natural GR-S rubber		Total new rubber		Total RHC	
	Maxi-mum	Mini-mum	Maxi-mum	Mini-mum	Mini-mum	
A—Camelback, capping stock, lug stock and base stock. ¹	0.0	60.0	-----	60.0	60.0	No restrictions on use for treading purposes.
C—Camelback, capping stock, lug stock and base stock. ¹	0.0	40.0	50.0	40.0	40.0	No restrictions on use for treading purposes.
F—Camelback and capping stock. ²	0.0	0.0	0.0	0.0	50.0	Passenger only.
Padding stock	40.0	-----	-----	-----	-----	Maximum thickness ¼".
Stripping stock	30.0	-----	-----	-----	-----	Maximum width 1".
Filler strip	30.0	-----	-----	-----	-----	Maximum thickness ¼", 2½" and 3½" widths only.
Full circle curing tubes	0.0	-----	-----	-----	-----	Natural rubber permitted only in valves, valve adhesion pads, splicing gum strips and cements and identification inks and cements. Synthetic curing tubes shall be marked in accordance with List 5 (a).

¹ Natural rubber may be consumed in cushion gum to be applied to grades A and C treading materials, but the natural rubber so consumed shall not exceed, by weight, 2.0 percent of the total weight of treading material.

² Natural rubber may be consumed in cushion gum to be applied to grade F camelback or capping stock, but the natural rubber so consumed shall not exceed, by weight, 1.6 percent of the total weight of camelback.

³ F Grade camelback and capping stock shall not be manufactured in die sizes with crown widths wider than 5".

LIST 14—MANUFACTURE OF TANK TRACKS AND BAND TRACKS

Manufacturing regulations. The manufacture of tank tracks and band tracks is subject only to the regulations on the use of natural rubber shown in Table A below:

TABLE A—TANK TRACKS AND BAND TRACKS

Description of product:	Maximum percent, by weight, of total RHC which may be natural rubber
Band tracks, tractor M-2	31.
Band tracks, carrier, cargo, M-29 and M-29C	60.
Band tracks, half-track vehicles	30.
Tank track blocks	8.
Rubber backed tracks	8.
Tank track pin bushings, and links	As required.
All other	As required.

LIST 15—THE USE OF HIGH-TENACITY RAYON CORD

(a) In the manufacture of rubber products, high-tenacity rayon cord may be used only for the following listed products.

ORDER OF PREFERENCE AND TYPE OF PRODUCT

Group

1. Airplane tires.
2. Self-sealing fuel cells.
3. Bullet-sealing hose.
4. Combat (U. S.) tires, including only cross-sections 8.00 and larger.
5. Mileage contract bus tires:
 - (a) Intercity bus tires.
 - (b) City bus tires.
6. Synthetic special purpose tires, including:
 - Tread types: Rock service, logger, earthmover and 18.00 and up mud-snow.
 - Sizes: All.

ORDER OF PREFERENCE AND TYPE OF PRODUCT—continued

Group

7. Synthetic truck and bus tires, including only:
 - Tread types: Highway, mud-snow.
 - Sizes: 8.25 through 14.00, 10 plies and more.
8. Synthetic truck and bus tires, including only:
 - Tread types: Standard low platform trailer.
 - Sizes: 7.50 and up, 10 plies and more.
9. Synthetic truck and bus tires, including only:
 - Tread types: Highway, mud-snow.
 - Sizes: 7.00 and 7.50, 10 plies.
10. V-belts.
11. Synthetic truck and bus tires, including only:
 - Tread types: Highway, mud-snow.
 - Sizes: 7.50 cross-section, 6 and 8 plies, all rim diameters.
12. Tire repair materials.
13. Synthetic truck and bus tires, including only:
 - Tread types: Highway, mud-snow.
 - Sizes: 7.00 cross-section and smaller, 6 and 8 plies, all rim diameters.
14. Synthetic tires of the following types:
 - Road grader—All tread types and all sizes.
 - Tractor and implement—All tread types and all sizes.
 - Passenger—All tread types in 6.50 cross section and larger, including the 6.25/6.50 cured in 6.50 mold.

(b) Any manufacturer using rayon must consume it in the order of preference in the above usage pattern, arranging to fulfill all requirements in the first group before any is used in the second group, and so on down the list.

LIST 16—MANUFACTURE OF TIRE TUBE VALVES (EXCEPT BICYCLE TIRE TUBE VALVES)

(a) *Manufacturing regulations.*—The manufacture of tire tube valves (excepting

bicycle tire tube valves), of all sizes and types is subject only to the regulations on the use of natural rubber or natural rubber latex shown in Table A below.

TABLE A

Size	Type	Maximum percent natural rubber, by volume, of total RHO
TR-13	All types	0.
TR-14	do.	0.
TR-15	All types (except airplane)	0.
TR-25	do.	0.
TR-35	do.	0.
TR-75	Truck	0.
TR-76	do.	0.
TR-78	do.	0.
TR-79	do.	0.
TR-175	do.	0.
TR-177	do.	0.
TR-179	Truck	0.
TR-215	Tractor	50.
TR-50	Hand bendable	As required.
TR-150	do.	Do.
TR-12	Airplane	Do.
TR-15	do.	Do.
TR-20	do.	Do.
TR-25	do.	Do.
TR-35	do.	Do.
TR-350	do.	Do.
Miscellaneous	do.	Do.

LIST 17—MANUFACTURE OF BICYCLE TIRES AND TUBES

(a) *Manufacturing regulations.* Bicycle tires (clincher, wire-edge or single tube) and tubes, including rim strips, valves, cots, washers and curing bags, may be manufactured, provided, that no natural rubber is consumed for any purpose.

(b) *Marking of synthetic tires and tubes.*
(1) All tires containing synthetic rubber shall have a square or circular colored dot with a minimum dimension of at least three-eighths inch, permanently vulcanized on one side of the tire, the appropriate color to be determined from paragraph (a) of List 6.
(2) All tubes containing synthetic rubber shall have a permanent circumferential colored stripe at least one-eighth inch wide applied on the base section of the tube. The appropriate color shall be determined from paragraph (a) of List 6.

(Sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236 and 56 Stat. 177; E.O. 9024, 7 F.R. 329; E.O. 9040, 7 F.R. 527; E.O. 9125, 7 F.R. 2719; E.O. 9246, 7 F.R. 7379, as amended by E.O. 9475, 9 F.R. 10817; CPA Reg. 1, Nov. 5, 1945, 10 F.R. 13714.

Issued this 15th day of November 1945.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-20910; Filed, Nov. 15, 1945;
11:46 a. m.]

Chapter XI—Office of Price Administration PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[Restriction Order 13, Revocation]

LARD RESTRICTION IN PUERTO RICO

A rationale accompanying this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Restriction Order 13, (§ 1407.304) is hereby revoked, except that any violation which occurred or rights or liabilities which arose before the effective date

of this order of revocation shall be governed by the order in effect at the time the violation occurred or the rights or liabilities arose.

This order of revocation shall be effective as of November 9, 1945.

Issued this 7th day of November 1945.

SAM GILSTRAP,
Territorial Director
for Puerto Rico.

Approved:

JAMES P. DAVIS,
Regional Administrator,
Region IX.

[F. R. Doc. 45-20841; Filed, Nov. 14, 1945;
4:24 p. m.]

PART 1305—ADMINISTRATION

[SO 139]

ADJUSTED MAXIMUM PRICES FOR CERTAIN LOW-PRICED COMMODITIES

A statement of the considerations involved in the issuance of this supplementary order, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Sec.

1. Purpose of this order.
2. Scope of this order.
3. Adjusted maximum prices.
4. Records.
5. Relation to other maximum price regulations.
6. Definitions.
7. Amendment.

Appendix A: Increase Factors and Cut-off prices.

SECTION 1. *Purpose of this order.* This order establishes increases in the maximum prices of the lower price lines of certain specified commodities whose ceiling prices, under "freeze" regulations, may constitute an impediment to production.

SEC. 2. *Scope of this order.*—(a) *What commodities are covered.* This order covers the commodities listed in Column 1 of Appendix A whose ceiling prices under the appropriate maximum price regulations do not exceed the "cut-off" price listed for each commodity in Column 3 of Appendix A.

(b) *What sales are covered.* This order covers all manufacturers' sales of the commodities described in (a).

A "manufacturer's sale" is any sale of a commodity by the person who fabricated or processed the commodity or for whom it was fabricated or processed by a contractor or agent from basic materials owned or otherwise furnished by the principal. Manufacturers' sales include sales to ultimate consumers as well as sales to resellers.

SEC. 3. *Adjusted maximum prices.* On and after November 13, 1945, any commodity covered by this order may be sold or delivered at the adjusted maximum price described in this section. The adjusted maximum price under this section is found as follows:

Step 1. Determine the maximum price of the commodity under the appropriate maximum price regulation.

Step 2. Add to the maximum price found in Step 1 the increase factor listed for the commodity in Column 2 of Appendix A.

Where the increase factor is listed as a percentage, multiply the maximum price found in Step 1 by the listed percentage and add the resulting figure to the maximum price.

Step 3. The adjusted maximum price of the commodity is the total found in Step 2 or the price listed for the commodity in Column 3 of Appendix A, whichever price is lower.

NOTE: In figuring his adjusted maximum price under this section, a seller may not use, as the maximum price found under Step 1, any adjusted ceiling price authorized under section 1.4 of Supplementary Regulation 14E.¹

SEC. 4. *Records and reports.*—(a) *Records.* The records required by this section must be maintained for so long as the Emergency Price Control Act of 1942, as amended, remains in effect.

Every person who makes a sale covered by this order must prepare and maintain the records required by the maximum price regulation under which his ceiling prices were established prior to the effective date of this order, except that the adjusted maximum price established under this order shall be substituted for the original maximum price in all records of deliveries made or maximum prices established after the effective date of this order.

In addition, he must keep a copy of the report filed under (b) below.

(b) *Reports.* No person may deliver any commodity at an adjusted maximum price established under this order until he has filed with the Apparel Price Branch, Office of Price Administration, Washington, D. C., two copies of a report signed by an owner, officer or principal and containing in addition to his business name and address, the following information:

- (1) A list of the commodities covered by this order which he sells, showing each style of each commodity separately.
- (2) The maximum price of each style listed in (1) in effect immediately prior to the effective date of this order.
- (3) The pricing method by which each maximum price listed in (2) was determined (e. g. § 1499.2 (a) of the General Maximum Price Regulation, Rule 1 of Maximum Price Regulation 332, etc.).
- (4) The adjusted maximum price under this order of each style listed in (1).

SEC. 5. *Relation to other maximum price regulations.*—(a) *Regulations supplemented.* This order supplements the provisions of the following regulations only:

- (1) General Maximum Price Regulation.²
- (2) Maximum Price Regulation 221.³
- (3) Maximum Price Regulation 273.⁴
- (4) Maximum Price Regulation 332.⁵

(b) *Regulations not affected.* This order does not affect in any way the ceiling prices established under or any other

- ¹ 10 F.R. 1183, 2014, 4156, 7117, 7497, 7667, 9337, 9540, 9963, 10021, 11401, 12601, 12812, 13271.
- ² 8 F.R. 5307, 8362, 14765, 15586; 9 F.R. 579, 4239, 6238, 6817, 12132; 10 F.R. 2810.
- ³ 7 F.R. 7318, 9615, 10719; 8 F.R. 4514, 13847; 9 F.R. 5174, 11758, 8659.
- ⁴ 7 F.R. 9637.
- ⁵ 8 F.R. 2350; 9 F.R. 2783; 10 F.R. 11152.

requirements of any maximum price regulation or order other than those listed in (a) above. For example, all the provisions of SO 108^a continue in effect without modification by this order.

Sec. 6. Definitions. Unless the context otherwise requires or unless specifically provided herein, the definitions set forth in § 1499.20 of the General Maximum Price Regulation shall apply to the terms used herein.

Sec. 7. Amendment. Any person seeking an amendment, which must have general applicability, may file a petition

for amendment in accordance with the provisions of Revised Procedural Regulation No. 1,⁷ issued by the Office of Price Administration.

This supplementary order shall become effective November 13, 1945.

NOTE: All record keeping and reporting requirements of this supplementary order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 13th day of November 1945.

CHESTER BOWLES,
Administrator.

APPENDIX A—INCREASE FACTORS AND CUT-OFF PRICES

Column 1 Commodity	Column 2 Increase Factor	Column 3 Net cut-off prices	
		Manufacturers' sales to others than individual ultimate consumers (per dozen)	Manufacturers' sales to individual ultimate consumers (per item)
	Percent		
Men's knit pajamas (all yarns).....	15	\$13.23	\$1.65
Boys' knit pajamas (all yarns).....	15	11.64	1.45
Children's and toddlers' knit pants (all yarns).....	15	2.45	.31
Infants' knit vests and shirts (all yarns).....	15	1.81	.24
Infants' knit training pants, of yarn lighter than 22's.....	15	2.21	.28
Women's and misses' knit vests (all yarns).....	15	3.19	.40
Men's knit union suits under 9 pounds per dozen (all yarns).....	15	6.62	.85
Boys' knit union suits under 7 pounds per dozen (all yarns).....	15	5.50	.70
Women's and misses' knit union suits under 6 pounds per dozen (all yarns).....	15	5.15	.65
Children's and infants' knit union suits under 6 pounds per dozen.....	15	4.41	.55
Men's and Boys' lightweight knit shirts and drawers under 6 pounds per dozen (all yarns).....	15	4.07	.50
Men's knit athletic shirts (all yarns).....	15	2.60	.33
Boys' knit athletic shirts (all yarns).....	15	2.21	.28
Men's and boys' knit shorts and briefs (all yarns).....	15	2.94	.37
	Cents		
Children's and infants' anklets (all yarns).....	15	1.65	.21
All other hosiery (all yarns).....	20	2.00	.25
	Percent		
Men's dress shirts (all fabrics).....	15	13.58	1.70
Boys' dress shirts (all fabrics).....	15	10.18	1.30
Junior's dress shirts (all fabrics).....	15	8.25	1.05
Men's woven shorts (all fabrics).....	15	4.00	.50
Boys' woven shorts (all fabrics).....	15	3.25	.41
Men's woven pajamas (all fabrics).....	15	16.00	2.00
Boys' woven pajamas (all fabrics).....	15	13.10	1.65
	Cents		
Men's handkerchiefs, not less than 18" x 18" cut size, hemstitched (all fabrics).....	13	.63	.08

[F. R. Doc. 45-20769; Filed, Nov. 13, 1945; 4:31 p. m.]

PART 1364—FRESH, CURED AND CANNED MEAT AND FISH PRODUCTS

[RMFR 169, Amdt. 63]

BEEF AND VEAL CARCASSES AND WHOLESALE CUTS

A statement of the considerations involved in the issuance of this amendment has been issued simultaneously herewith and filed with the Division of the Federal Register.

Revised Maximum Price Regulation No. 169 is amended in the following respects:

1. A new paragraph (g) (3) is added to § 1364.405 to read as follows:

(3) Notwithstanding any provision to the contrary contained in this paragraph (g) or in §§ 1364.452 (o) or 1364.467 (n), which establish maximum prices for fabricated beef cuts and veal

carcasses (War Shipping Administration specifications), the War Shipping Administration may sell, and any licensed ship supplier or suppliers may buy, fabricated beef cuts and veal carcasses (War Shipping Administration specifications) f. o. b. shipping point basis, provided that the meats are delivered by the seller to the carrier and shipped at the carload rate to the purchaser who shall pay the shipping charges directly to the carrier, and provided further, that the seller furnish the buyer (licensed ship supplier) at the time of delivery with a statement setting forth, in addition to the information required by § 1364.407 (f), that the shipment to the buyer is f. o. b. shipping point basis. The buyer shall retain this statement for inspection by the OPA for so long as the Emergency Price Control Act, as amended, remains in effect and may, upon resale of the meats upon which such shipping charges were paid, add to the applicable zone price specified in § 1364.452 (o) (3) and (o) (6) for beef and § 1364.467 (n) (3) and (n) (6) for veal, the shipping charges paid by him to

the extent permitted by subdivision (2) (i) through (vi) hereof whichever is applicable, if the charges paid covered a shipment to him from a point located in the same price zone or from Zone 2, 3 or 4 to a point located in Zone 1. However, if the charges paid covered a shipment to him from a higher price zone to a lower price zone, upon resale of the meats upon which such shipping charges were paid, the maximum price shall be the applicable zone price for the zone in which is located the point of origin of the shipment plus the shipping charges paid by him not in excess however of the lowest common carrier carload rate for the method of transportation used.

2. Section 1364.467 (p) is amended to read as follows:

(p) *Frozen fabricated veal (Army specifications).* (1) On and after November 13, 1945, regardless of any contract, agreement or other obligation, no person shall sell or deliver frozen fabricated veal (Army specifications) to any purchasing agency of a war procurement agency at a price higher than the maximum price permitted therefor in paragraph (p) (2) of this section. The sale or delivery of frozen fabricated veal (Army specifications) to a purchaser other than a purchasing agency of a war procurement agency is prohibited.

(2) The maximum f. o. b. boning plant price for frozen fabricated veal (Army specifications) in each of the following price zones shall be:

[Zone prices per hundredweight in carload or less-than-carload quantities, frozen, packaged and boxed in accordance with the requirements and specifications contained in CQD No. 371A "Veal, Fabricated, Frozen", superseding CQD No. 371, issued by the Chicago Quartermaster Depot of the United States Army. The price for any fraction of a hundredweight shall be reduced accordingly. Additions and deductions of Schedules VI and V, respectively, are not applicable.]¹

Celling prices by zones

	Choice or AA	Good or A	Commercial or B
Zone 1.....	\$37.95	\$35.00	\$31.85
Zone 2.....	36.35	34.30	30.25
Zone 3.....	35.20	33.15	29.10
Zone 4.....	34.00	31.95	27.90
Zone 5.....	34.80	32.75	28.70
Zone 6.....	35.20	33.15	29.10
Zone 7.....	35.60	33.55	29.50
Zone 8.....	36.00	33.95	29.90
Zone 9.....	36.35	34.30	30.25
Zone 10.....	36.75	34.70	30.65

¹ All veal carcasses designed for Army use shall be inspected and passed by a representative of the Army Veterinary Corps and the cutting, boning, trimming, packaging, boxing and any other necessary preparation for freezing involved in the production of frozen fabricated veal (Army specifications) shall be supervised by him at the time of such preparation in accordance with Army regulations. No veal shall be packed as frozen fabricated veal (Army specifications) except in the presence of the official inspector designated by the United States Army Veterinary Corps or other United States Government agency. Each box or shipping container shall have clearly printed or legibly stenciled on it the net weight, grade and type of cut (i. e. roasts, chops or stew) contained in the box as provided in specifications CQD 371A and the official stamp of the representative of the Veterinary Corps shall attest to the accuracy of the legend appearing thereon.

^a 10 F.R. 4336, 5995, 6402, 8368, 10200, 12080, 12984.

⁷ 9 F.R. 10476, 13715; 10 F.R. 11295.

(3) "Frozen fabricated veal (Army specifications)" as used in this paragraph (p) means fabricated veal cuts derived from veal carcasses of grades choice, good, and commercial, and satisfying the requirements and specifications contained in CQD No. 371A "Veal, Fabricated, Frozen" issued by the Chicago Quartermaster Depot of the United States Army. Any frozen fabricated veal which has been rejected by a purchasing agency of a war procurement agency may not be sold or delivered unless the Administrator at Washington, D. C., by order, authorizes its sale or delivery to a designated purchaser or purchasers, upon receipt of an application from the seller showing the grade, type and amount of meats rejected, the date and reasons for the rejection and the name and address of the proposed purchaser or purchasers. In addition, such application shall be accompanied by a certification of the Meat Inspection Division of the Department of Agriculture that the meat is fit for human consumption.

This amendment shall become effective November 13, 1945, except that until December 3, 1945, sales of frozen fabricated veal meeting specifications CQD 371 may be made to a war procurement agency at the ceiling prices in effect prior to November 13, 1945.

NOTE: The reporting and record-keeping requirements of this amendment have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 13th day of November 1945.

CHESTER BOWLES,
Administrator.

Approved: November 9, 1945.

J. B. HUTSON,
Acting Secretary of Agriculture.

[F. R. Doc. 45-20767; Filed, Nov. 13, 1945;
4:31 p. m.]

PART 1305—ADMINISTRATION

[SO 129, Amdt. 6]

EXEMPTION AND SUSPENSION FROM PRICE CONTROL OF MACHINES, PARTS, INDUSTRIAL MATERIALS AND SERVICES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplementary Order 129 is amended in the following respects:

1. Section 3 (a) is amended by adding the following to the list of commodities thereunder:

Imported briarwood

2. Section 4 (d) is amended by adding the following to the list of commodities thereunder:

Sails and sailmaking

3. Section 7 (a) is amended to read as follows:

(a) *Miscellaneous coarse papers and paperboard products as follows:*

No. 225—4

Stamped envelopes sold to and by the Post Office Department of the United States Government.

Western Union manila gummed telegram and teletype tape.

4. Section 12 (a) is amended by adding the following to the list of commodities thereunder:

The following electrical measuring and testing instruments when designed and used primarily for laboratory purposes, and parts and accessories upon which further fabrication need not be performed in order to complete their identification as parts or accessories specially designed for incorporation in or attachment to the following instruments: Laboratory galvanometers; wheatstone bridges; vacuum thermocouples; laboratory potentiometers; surge-crest ammeters; electrostatic voltmeters; phase sequence indicators; instrument transformers; supersonic apparatus; stroboscopes; broadcast frequency monitors; sound level meters; vibration meters; radio frequency bridges; but excluding voltmeters, ammeters, volt-ohm meters and all types of radio service shop test equipment, oscilloscopes, oscillographs, watt and watt-hour meters, and photoelectric cells, and any instruments covered by MPR 188 or MPR 591.

5. Section 12 (c) is amended by changing the paragraph beginning "Gauges, standard industrial . . ." to read as follows:

Gauges, standard industrial and special purpose, such as plug, ring, snap, height, length and location gauges, but not testing machines.

6. Section 12 (c) is amended by adding the following to the list of commodities thereunder:

The following instruments when designed and used primarily for laboratory purposes, and parts and accessories upon which further fabrication need not be performed in order to complete their identification as parts or accessories specially designed for incorporation in or attachment to the following instruments: Chemical laboratory apparatus; laboratory testing instruments; bacteriological and pathological laboratory apparatus; physical-chemical apparatus; chemical-physics apparatus; physics apparatus; blowers; vacuum pumps; constant temperature apparatus, including ovens; balances, scales and weights; specific gravity density apparatus; acidity meters; gas analyzers; and biological, physiological and psychological instruments.

7. Section 12 (d) is amended in the following respect: The commodity listing starting with the words "Ships and boats" shall read:

Boats over 25 feet in length (See Supplementary Order 126 for exemption of boats, 25 feet or under).

8. Section 12 (e) is amended by adding the following to the list of commodities thereunder:

Textile machinery accessories and parts made principally of wood and designed exclusively for use with such machinery, including bobbins, spools, shuttles, picker sticks, top cleaner boards, jack sticks, sweep sticks, standard binders, race plates, crank or pitman arms, lug straps, reinforced skewers, cloth roll blocks, parallel blocks, dobby sheaves, and any other weaving and spinning machinery hardwood parts or hardwood accessories subject to RMPR 136.

9. Section 13 (a) is amended by adding the following to the list of nonferrous metals and products thereunder:

Aluminum mill products, including but not limited to plate, sheet, strip, foil, tube, wire, rod, bar, slugs, shapes, forging stock, rerolling slabs, washers, rivets and nails, nuts, screws and bolts, paste and powder cans and collapsible tubes. (This suspension does not apply to aluminum cooking ware and other such commodities which are sold to the general public.)

Aluminum scrap.

Secondary aluminum ingot.

Magnesium mill products, including but not limited to plate, sheet, strip, foil, rod, tube, wire, bar, shapes, forging stock, rerolling slabs and powder.

Nickel scrap, monel metal scrap, stainless steel scrap and other scrap materials containing nickel, secondary monel ingot and shot, and secondary copper-nickel shot. (This suspension applies to all commodities subject to RPS 8).

10. Section 13 (b) is amended by adding the following to the list of iron and steel products thereunder:

Armor, Navy and ordnance steel castings for which maximum prices are established by Tables 1, 2 and 3 of Appendix A of RPS 41.

Reusable steel storage tanks subject to MPR 411.

Drawn steel manufacturers wire, either carbon or alloy, except wire for which a base price of \$3.35 or less (per 100 pounds) f. o. b. Pittsburgh, Pennsylvania, or \$3.45 or less (per 100 pounds) f. o. b. Worcester, Massachusetts, is established by RPS 6.

11. Section 13 is amended by adding the following paragraph (c):

(c) *Nonmetallic minerals and products as follows:*

Mica (All mica and mica products subject to MPR 347).

12. Section 15 (a) is amended to read as follows:

(a) *Miscellaneous related products as follows:*

Shredded wastepaper, except when sold to any person who uses wastepaper as a raw material in any manufacturing process (Wastepaper is defined as in MPR 30).

Unwashed and washed wiping cloths covered by MPR 484 prior to suspension (This suspension does not include any new materials).

13. Section 15 is amended by adding the following paragraph (b):

(b) *Miscellaneous fine papers and printing as follows:*

Printed paper commodities listed in Appendix A and printing and other services listed in Appendix B of MPR 225.

This amendment shall become effective November 20, 1945.

Issued this 15th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20884; Filed, Nov. 15, 1945;
11:36 a. m.]

PART 1333—TIN

[MPR 17, Amdt. 1]

TIN

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith,

¹ 8 F.R. 12745.

has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 17 is amended in the following respect:

1. Section 2 (a) is amended by adding the name Pass No. 1 to the list of brands of pig tin qualifying under Grade A.

This amendment shall become effective November 20, 1945.

Issued this 15th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20876; Filed, Nov. 15, 1945;
11:34 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 3, Amdt. 2 to Supp. 5]

LINSEED PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplement No. 5 to Food Products Regulation No. 3 is amended in the following respect:

The table in section 6 (a) is amended to read as follows:

	Guaranteed protein content	Oil meal or cake	Sized cake or pellets	Linseed feed or flaxseed screenings oil feed
1. Minneapolis and Red Wing, Minn.	32% or more	\$42.00	\$44.25	\$37.00
2. Chicago, Ill. and Milwaukee, Wis.	30% or more	44.50	46.75	39.50
3. Cleveland and Toledo, Ohio	32% or more	46.00	48.25	41.00
4. Emporia and Fredonia, Kans.	34% or more	46.00	48.25	41.00
5. Buffalo, N. Y.	32% or more	46.00	48.25	41.00
6. Amsterdam, N. Y.	34% or more	45.00	47.25	40.00
7. Edgewater and Newark, N. J.; Philadelphia, Pa.; Brooklyn and Staten Island, N. Y.	32% or 33%	43.00	45.25	40.00
8. Corpus Christi, Harlingen and Houston, Tex.	32% or more	47.00	49.25	42.00
9. Los Angeles, Calif.	34% or more	46.00	48.25	41.00
10. San Francisco, Calif.	28% or 33%	44.00	46.25	39.00
11. Fresno, Calif.	28% up to 32%	42.00	44.25	37.00
12. Portland, Oreg.	34% or more	44.00	46.25	41.00
	30%	42.00	44.25	39.00
	34% or more	42.00	44.25	37.00

This amendment shall become effective November 20, 1945.

Issued this 15th day of November 1945.

CHESTER BOWLES,
Administrator.

Approved: November 7, 1945.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 45-20882; Filed, Nov. 15, 1945;
11:34 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[FPR 3, Amdt. 2, Supp. 7]

PEANUT PRODUCTS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Supplement No. 7 to Food Products Regulation No. 3 is amended in the following respect:

The table in section 6 (a) is amended to read as follows:

Oil cake	\$49.25
Oil meal	50.00
Sized cake	50.00
Pellets	52.25

¹ If oil meal, sized cake or pellets are produced by the processor from oil cake which he purchased, the base price is increased by 50 cents per ton.

PART 1351—FOOD AND FOOD PRODUCTS

[2d Rev. MPR 269,¹ Amdt. 10]

POULTRY

A statement of the considerations involved in the issuance of this Amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 269 is amended in the following respects:

1. Section 3.5 (a) (22) is added to read as follows:

(22) *Definition and requirements of cut-up turkey.* "Cut-up turkey" means drawn Grade "A" young turkeys, from which the oil sac and lungs have been removed before weighing for sale, and the carcass of which has been dismem-

¹ 10 F.R. 7684.

bered or cut into portions in accordance with the requirements set forth for "cut-up poultry" in section 3.5 (a) (15).

2. A new section 5.6a is added to read as follows:

SEC. 5.6a *Additions to, and deductions from, Table B prices for Grade "A" cut-up young turkey items.* The following Table B-1/2 establishes monthly maximum base prices in the various turkey zones for Grade "A" young cut-up turkeys, by permitting additions to, or requiring deductions from, Table B dressed young turkey prices. As in Table B, the turkey prices established in Table B-1/2 are applicable only when the turkey items are sold box-packed or barrel-packed; if not so packed, the prices for these turkey items are established under the provisions of section 5.11.

TABLE B-1/2—ADJUSTMENTS TO TABLE B FOR ALL OTHER PROCESSED TURKEY ITEMS
(Adjustments in cents per pound)

Portions of "cut-up" turkeys	Addition and subtraction from table B; dressed young turkeys
Wings	Subtract 12.2 cents from the dressed price of young turkeys in table B.
Legs and breasts	Add 19.9 cents to the dressed price of young turkeys in table B.
Wing tips, backs, necks, or skin.	Subtract 29.0 cents from the dressed price of young turkeys in table B.
Livers	Add 29.6 cents to the dressed price of young turkeys in table B.
Hearts and cleaned gizzards.	Subtract 12.2 cents from the dressed price of young turkeys in table B.
Uncleaned gizzards	Subtract 27.7 cents from the dressed price of young turkeys in table B.

3. Section 5.7 is amended by adding "or 5.6a" after the words "preceding section 5.6" and before the words "as modified."

This amendment shall become effective November 15, 1945.

Issued this 15th day of November 1945.

CHESTER BOWLES,
Administrator.

Approved: November 9, 1945.

J. B. HUTSON,
Acting Secretary of Agriculture.

[F. R. Doc. 45-20880; Filed, Nov. 15, 1945;
11:35 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS

[MPR 422,¹ Amdt. 61]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN GROUP 3 AND GROUP 4 STORES

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

¹ 10 F.R. 1505, 2024, 2297, 3814, 5370, 5577, 6235, 6514, 7251, 8015, 8656, 9272, 9263, 9430, 11303, 12264, 12265, 12810, 12992, 13073.

Maximum Price Regulation No. 422 is amended in the following respects:

1. In section 39 (a) the item "Grapes" in list (2) in Table B-I is amended, and the item "Grapes, juice" is added in alphabetical order to list (2) in Table B-I, to read as follows:

TABLE B—MARK-UPS OVER "NET COST" ALLOWED TO GROUP 3 AND GROUP 4 RETAILERS FOR PERISHABLES COVERED BY THIS REGULATION BY COMMODITIES

	Allowed mark-ups over net cost		"Selling unit" in which ceiling price must be calculated
	Group 3	Group 4	
I. Food commodities	Retailer other than independent with annual volume under \$250,000	Any retailer with annual volume of \$250,000 or more	
(2) Fresh fruits:	Percent	Percent	
Grapes, juice.....	15	15	1 lug or 1 pound.
Grapes, table.....	40	40	1 pound.

2. In section 39 (b) (2) the definition of "Grapes" is amended to read as follows:

"Grapes, table" means all varieties of California and Arizona fresh table grapes including, but not limited to, Almeria, Emperor, Red Malaga, White Malaga, Ribier, Thompson Seedless and Tokay. Each variety of table grapes shall be considered a separate item and priced separately. "Grapes, juice" means the following varieties of grapes: Alicante, Barberone, Aramon, Burger, Burgundy, Carignane, Chianti, Cinsaut, Gregano, Grenache, Malvoisie, Mataro, Mission, Muscat, Petite Bouschet, Petite Sirah, Valdepena, and Zinfandel. All varieties of juice grapes shall be considered as a single item and priced as such.

This amendment shall become effective November 15, 1945.

Issued this 15th day of November 1945.

CHESTER BOWLES,
Administrator.

Approved: November 8, 1945.

J. B. HUTSON,
Under Secretary of Agriculture.

[F. R. Doc. 45-20878; Filed, Nov. 15, 1945; 11:35 a. m.]

PART 1351—FOOD AND FOOD PRODUCTS [MPR 423, Amdt. 59]

CEILING PRICES OF CERTAIN FOODS SOLD AT RETAIL IN INDEPENDENT STORES DOING AN ANNUAL BUSINESS OF LESS THAN \$250,000 (GROUP 1 AND GROUP 2 STORES)

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Maximum Price Regulation No. 423 is amended in the following respects:

¹ 10 F.R. 1523, 2025, 2293, 3814, 5370, 5578, 6235, 6314, 8015, 8656, 9272, 9263, 9431, 11303, 12264, 12265, 12810, 12992, 13074.

1. In section 28 (a), the item "Grapes" in list (2) in Table B-I is amended, and the item "Grapes, juice" is added in alphabetical order to list (2) in Table B-I, to read as follows:

TABLE B—MARK-UPS OVER "NET COST" ALLOWED TO GROUP 1 AND GROUP 2 RETAILERS FOR PERISHABLES COVERED BY THIS REGULATION BY COMMODITIES

	Allowed mark-ups over net cost—Independent retailers with annual volumes		"Selling unit" in which ceiling price must be calculated
	Group 1	Group 2	
I. Food commodities	Under \$50,000	\$50,000 but less than \$250,000	
(2) Fresh fruits:	Percent	Percent	
Grapes, juice.....	15	15	1 lug or 1 pound.
Grapes, table.....	40	40	1 pound.

2. In section 28 (b) (2), the definition of "Grapes" is amended to read as follows:

"Grapes, table" means all varieties of California and Arizona fresh table grapes including but not limited to Almeria, Emperor, Red Malaga, White Malaga, Ribier, Thompson Seedless and Tokay. Each variety of table grapes shall be considered a separate item and priced separately. "Grapes, juice" means the following varieties of grapes: Alicante, Barberone, Aramon, Burger, Burgundy, Carignane, Chianti, Cinsaut, Gregano, Grenache, Malvoisie, Mataro, Mission, Muscat, Petite Bouschet, Petite Sirah, Valdepena, and Zinfandel. All varieties of juice grapes shall be considered as a single item and priced as such.

This amendment shall become effective November 15, 1945.

Issued this 15th day of November 1945.

CHESTER BOWLES,
Administrator.

Approved: November 8, 1945.

J. B. HUTSON,
Under Secretary of Agriculture.

[F. R. Doc. 45-20879; Filed, Nov. 15, 1945; 11:35 a. m.]

PART 1499—COMMODITIES AND SERVICES [RMFR 539, Amdt. 2]

CUSTOM MILLING AND KILN-DRYING OF WESTERN SOFTWOODS

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

Revised Maximum Price Regulation 539 is amended in the following respects:

1. General Note 1 is amended to read as follows:

1 (a) Ripping and resawing are to be considered as separate operations and charges for first line may be made for each operation. For the purpose of clarifying these operations, resawing is described as sawing the stock through its widest dimension and ripping as sawing the stock through its narrowest dimension.

¹ 10 F.R. 8617.

(b) Charges for either resawing or ripping are to be based on the actual size of the stock being ripped or resawn, and only footage comprising the total of the two resulting pieces is to be charged for.

(c) Not more than 3 lines of ripping and/or resawing may be charged to the purchaser of lumber being custom-milled for remanufacturing to 6/4 thickness or thinner, or in remanufacturing to a combination of 8/4 and 6/4 or thinner, and not more than 2 lines of ripping and/or resawing may be charged for in remanufacturing to thicker than 6/4, except that a custom-mill may apply to the Lumber Branch, Office of Price Administration, Washington, 25, D. C. for an exception to this limitation on services to be performed for the following:

(i) Government agencies requiring custom-milling services on lumber held in stock on November 20, 1945.

(ii) Purchasers of lumber requiring precision resawing to a thickness of 3/4" or thinner.

Excess lines of ripping or resawing (or trimming or any other work) may be charged to the producing mill if mutually and satisfactorily arranged, provided that such charges may not be passed on to the customer.

The intent of this note is to discourage uneconomic custom milling operations.

2. A new general note number 9 is added to read as follows:

9. When lumber is loaded on open cars and the buyer requires packaging in sling lots or otherwise, whereby the load is divided into individual parcels for the purpose of facilitating mechanical unloading, a charge of \$6.50 per car in addition to the open car handling charge may be made. This charge shall include material and labor used in packaging.

This amendment shall become effective November 20, 1945.

NOTE: All reporting and record keeping requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Issued this 15th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20877; Filed, Nov. 15, 1945; 11:34 a. m.]

PART 1413—SOFTWOOD LUMBER PRODUCTS [MPR 589, Amdt. 2]

DOUGLAS FIR STOCK MILLWORK

A statement of the considerations involved in the issuance of this amendment, issued simultaneously herewith, has been filed with the Division of the Federal Register.

In Maximum Price Regulation 589, the last two lines of section 20 (a) are amended to read as follows:

	Percent
To persons who during the first 9 months of 1941 received the seller's maximum prevailing discount.....	60
To all other persons.....	58

This amendment shall become effective November 20, 1945.

Issued this 15th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20851; Filed, Nov. 15, 1945; 11:36 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter I—Coast Guard, Department of the Navy

PART 10—AIR RAID AND BLACKOUT REGULATIONS FOR VESSELS, HARBORS, PORTS, AND WATERFRONT FACILITIES

WESTERN DEFENSE COMMAND, WASHINGTON, OREGON, AND CALIFORNIA

Pursuant to Executive Order 9074 (7 F.R. 1587) and in accordance with the provisions of the act of July 9, 1943, 57 Stat. 391, the Air Raid and Black-out Regulations for Vessels, Harbors, Ports, and Waterfront Facilities are amended, as follows, effective upon publication in the FEDERAL REGISTER:

Sections 10.21 to 10.32, inclusive, are hereby rescinded.

Dated: November 14, 1945.

R. R. WAESCHE,
Admiral, U. S. Coast Guard,
Commandant.

Approved:

JAMES FORRESTAL,
Secretary of the Navy.

[F. R. Doc. 45-20862; Filed, Nov. 15, 1945;
10:28 a. m.]

TITLE 42—PUBLIC HEALTH

Chapter I—United States Public Health Service

PARTIAL REVISION OF CHAPTER

CROSS REFERENCE: For the partial revision of Chapter I of this title see Executive Order 9655, *supra*.

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—General Land Office

Appendix—Public Land Orders
[Public Land Order 301]

IDAHO

TRANSFER OF LANDS FROM BOISE NATIONAL FOREST TO PAYETTE NATIONAL FOREST

By virtue of the authority vested in the President by the act of June 4, 1897, 30 Stat. 11, 36 (U.S.C. title 16, sec. 473), and pursuant to Executive Order No. 9337 of April 24, 1943, and upon the recommendation of the Assistant Secretary of Agriculture, it is ordered as follows:

Those lands within the exterior boundaries of the Boise National Forest in the following described townships and sections are hereby transferred to the Payette National Forest, effective July 1, 1945:

BOISE MERIDIAN

T. 15 N., R. 2 E.,
Secs. 1, 2, 11, and 12.
Tps. 16 and 17 N., R. 2 E.
T. 15 N., R. 3 E.,
Secs. 6 and 7.

It is not intended by this order to give a national-forest status to any publicly-

owned lands which have not hitherto had such a status, or to change the status of any publicly-owned lands which have hitherto had national-forest status.

HAROLD L. ICKES,
Secretary of the Interior.

NOVEMBER 6, 1945.

[F. R. Doc. 45-20851; Filed, Nov. 14, 1945;
4:37 p. m.]

[Public Land Order 302]

UTAH

MODIFICATION OF PUBLIC LAND ORDER 256

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is hereby ordered as follows:

Public Land Order 256 of January 4, 1945, revoking Public Land Order 130 and withdrawing certain public lands in the State of Utah from all forms of appropriation under the public land laws, including the mining and mineral leasing laws, and reserving them for classification under the jurisdiction of the Secretary of the Interior, is hereby modified, effective as of January 4, 1945, so as to permit the issuance of new oil and gas leases pursuant to preference right applications under section 1 of the Act of July 29, 1942 (56 Stat. 726, 30 U.S.C. sec. 226b) for the following described lands:

SALT LAKE MERIDIAN

T. 26 S., R. 20 E.,
Sec. 23, S $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 24, S $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 25, lot 1, N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 26, N $\frac{1}{2}$ NE $\frac{1}{4}$;
T. 26 S., R. 21 E.,
Sec. 30, all;
Sec. 31, all;
T. 27 S., R. 21 E.,
Sec. 5, lots 3 and 4;
Sec. 6, lots 1 and 2.

The areas described aggregate 2096.75 acres.

HAROLD L. ICKES,
Secretary of the Interior.

NOVEMBER 6, 1945.

[F. R. Doc. 45-20852; Filed, Nov. 14, 1945;
4:37 p. m.]

TITLE 47—TELECOMMUNICATIONS

Chapter I—Federal Communications Commission

[Order 130]

PART 12—RULES GOVERNING AMATEUR RADIO: STATIONS AND OPERATORS

VALIDATION OF CERTAIN LICENSES

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 9th day of November 1945;

Whereas certain of the frequency bands allocated to the Amateur Radio Service in the Commission's Report of Allocations from 25,000 kilocycles to 30,000,000 kilocycles dated May 25, 1945, are now available for use by amateurs as authorized by this order; and

Whereas it is considered advisable that certain orders adopted by the Commis-

sion during the emergency, affecting the Amateur Radio Service, be cancelled, and that amateur station licenses be validated for a temporary period to permit the orderly processing of applications for new, renewed and modified licenses; It is ordered, That:

1. All amateur radio station licenses which were valid at any time during the period December 7, 1941 to September 15, 1942, and which have not heretofore been revoked are hereby validated for a six-month period commencing with the effective date of this order and ending May 15, 1946 (3 a. m., eastern standard time).

2. (a) The following frequency bands are available for use for amateur station operation except in Central, Southern and Western Pacific Ocean areas, subject to the limitations and restrictions set forth herein.

(1) 28.0 to 29.7 Mc. using type A1 emission.

(2) 28.1 to 29.5 Mc. using type A3 emission.

(3) 28.95 to 29.7 Mc. using special emission for frequency modulation (telephony).

(4) 56.0 to 60.0 Mc. using types A1, A2, A3 and A4 emissions and, on frequencies 58.5 to 60.0 Mc., special emission for frequency modulation (telephony). This band is available for amateur operation until March 1, 1946 (3 a. m., eastern standard time).

(5) 144 to 148 Mc., using A1, A2, A3 and A4 emissions and special emissions for frequency modulation (telephony and telegraphy). The portion of this band between 146.5 to 148 Mc. shall not be used, however, by any amateur station located within 50 miles of Washington, D. C. or Seattle, Washington.

(6) 2300 to 2450 Mc., 5250 to 5650 Mc., 10000 to 10500 Mc., and 21000 to 22000 Mc., using on these four bands, A1, A2, A3, A4 and A5 emissions and special emissions for frequency modulation (telephony and telegraphy).

(b) Upon the effective date of this order, no frequencies other than those assigned in this order shall be used for amateur operation.

3. The following orders of the Commission are hereby cancelled:

(a) Order No. 72, dated June 5, 1940, together with all amendments thereto, prohibiting amateur radio operators and amateur radio stations licensed by the Federal Communications Commission from exchanging communications with operators or radio stations of any foreign government or located in any foreign country.

(b) Order No. 73, dated June 7, 1940, together with all amendments thereto, prohibiting portable and portable-mobile radio station operation by licensed amateur operators and stations on frequencies below 56,000 kilocycles.

(c) Order No. 87, dated December 9, 1941, and Order No. 87A, dated January 9, 1942, prohibiting all amateur radio operation.

(d) Order No. 87B, dated September 15, 1942, suspending the issuance of renewed or modified amateur station licenses.

This order shall become effective the 15th day of November, 1945 (3 a. m., Eastern Standard Time).

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-20855; Filed, Nov. 15, 1945;
9:50 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[S. O. 160-F]

PART 95—CAR SERVICE

RESTRICTION ON HOLDING GRAIN OR SEEDS FOR ORDERS AT MINNESOTA POINTS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 14th day of November, A. D. 1945.

Upon further consideration of Service Order No. 160 (8 F.R. 14223-24) of October 13, 1943, and good cause appearing therefor: It is ordered, that:

(a) *Service Order No. 160 suspended.* Section 95.34 prohibiting the holding for orders of carloads of grain or seeds at Glenwood, St. Cloud, Staples, Thief River Falls, or Willmar, Minnesota, Service Order No. 160 (8 F.R. 14223-24) of October 13, 1943, be, and it is hereby, suspended until 12:01 a. m., December 15, 1945.

(b) *Announcement of suspension.* Each of the railroads affected by this order, or its agent, shall publish, file and post a supplement to each of its tariffs affected hereby, in substantial accordance with the provisions of Rule (9K) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of Service Order No. 160 and the reestablishment during the effectiveness of this order of the tariff provisions affected hereby. (40 Stat. 101, sec. 402, 41 Stat. 476, sec. 4, 54 Stat. 901; 49 U.S.C. 1 (10)-(17))

It is further ordered, that this order shall become effective at 12:01 a. m., November 16, 1945; that a copy of this order and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 45-20908; Filed, Nov. 15, 1945;
11:42 a. m.]

Notices

DEPARTMENT OF LABOR.

Office of the Secretary.

[WLD 134]

UNION STORAGE AND TRANSFER CO.

FINDINGS AS TO CONTRACT IN PROSECUTION OF WAR

In the matter of Union Storage and Transfer Co., Fargo, North Dakota; Case No. S-3381.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving Union Storage and Transfer Co., Fargo, North Dakota,

I find that the storage or transportation of lubricating oil and other commodities by Union Storage and Transfer Co., Fargo, North Dakota, pursuant to contract, whether oral or written, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 10th day of November 1945.

L. B. SCHWELLENBACH,
Secretary.

[F. R. Doc. 45-20868; Filed, Nov. 15, 1945;
11:23 a. m.]

[WLD 135]

AUSTIN CONSTRUCTION CO.

FINDINGS AS TO CONTRACT IN PROSECUTION OF WAR

In the matter of Austin Construction Co., Midland, Michigan, Case No. S-3504.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving Austin Construction Co., Midland, Michigan,

I find that the construction, reconstruction or repair of buildings, works or facilities by Austin Construction Co., pursuant to contract with Dow Chemical Co., Bay City and Midland, Michigan, is contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 10th day of November 1945.

L. B. SCHWELLENBACH,
Secretary.

[F. R. Doc. 45-20867; Filed, Nov. 15, 1945;
11:23 a. m.]

[WLD 138]

BELL TRANSIT CO.

FINDINGS AS TO CONTRACT IN PROSECUTION OF WAR

In the matter of Bell Transit Co., Pittsburgh, Pennsylvania; Case No. S-3485.

Pursuant to section 2 (b) (3) of the War Labor Disputes Act (Pub. No. 89, 78th Cong., 1st sess.) and the Directive of the President dated August 10, 1943, published in the FEDERAL REGISTER August 14, 1943, and

Having been advised of the existence of a labor dispute involving Bell Transit Co., Pittsburgh, Pennsylvania,

I find that the motor transportation activities of Bell Transit Co., Pittsburgh, Pennsylvania, a contract hauler, for Linde Air Products Co. and its associated companies, Prest-O-Lite Co., Carbide & Carbon Chemical Corp. and Oxweld-Acetylene Corp., New York, New York, are contracted for in the prosecution of the war within the meaning of section 2 (b) (3) of the War Labor Disputes Act.

Signed at Washington, D. C., this 10th day of November 1945.

L. B. SCHWELLENBACH,
Secretary.

[F. R. Doc. 45-20866; Filed, Nov. 15, 1945;
11:23 a. m.]

CIVIL AERONAUTICS BOARD.

[Docket No. 1887]

COMPANIA CUBANA DE AVIACION, S. A.

NOTICE OF HEARING

In the matter of the application of Compania Cubana de Aviacion, S. A., for a foreign air carrier permit under section 402 of the Civil Aeronautics Act of 1938, as amended, authorizing air transportation of persons, property, and mail between Havana, Cuba and Miami, Florida.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 402 and 1001 of said act, that the above entitled matter is assigned to be heard on December 3, 1945, at 10 a. m. (Eastern Standard Time) in room 5132, Department of Commerce Building, Washington, D. C., before Examiner J. Earl Cox.

Dated at Washington, D. C., November 15, 1945.

By the Civil Aeronautics Board.

FRED A. TOOMBS,
Secretary.

[F. R. Doc. 45-20918; Filed, Nov. 15, 1945;
11:56 a. m.]

CIVILIAN PRODUCTION ADMINISTRATION.

[C-405, Revocation]

MERCER LUMBER COMPANIES

CONSENT ORDER

Pursuant to an agreement between the Mercer Lumber Companies, the Regional Compliance Manager and the Regional Attorney, Consent Order No. C-405 was issued August 13, 1945. The

Mercer Lumber Companies have applied for revocation of the consent order with the approval of the Regional Compliance Manager and the Regional Attorney.

The parties to the agreement having now agreed that such order should be revoked, *It is hereby ordered*, That Consent Order No. C-405 be revoked.

Issued this 14th day of November 1945.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 45-20854; Filed, Nov. 15, 1945;
9:03 a. m.]

FEDERAL COMMUNICATIONS COMMISSION.

[Docket No. 6785]

RAYMOND A. GAUL ET AL.

NOTICE OF HEARING

In re application of Raymond A. Gaul and Harold O. Landis, transferors, WGAL, Inc., and Keystone Broadcasting Corp., Transferees, Reading Broadcasting Company, Licensee (WRAW); date filed: July 14, 1944; for transfer of control of licensee corporation; class of service, broadcast; class of station, broadcast; location, Reading, Pa.; operating assignment specified: Frequency, 1,340 kc; power, 250 w; hours of operation, unlimited time. File No. B2-TC-457.

You are hereby notified that the Commission has examined the application in the above-entitled case and has designated the matter for hearing upon the following issues:

1. To obtain full information as to the direct and indirect interests in and connections with broadcast stations of J. H. Steinman and John F. Steinman and other members of the Steinman family and the areas and populations served by said stations.

2. To determine the character and extent of concentration of control over broadcast stations by said Steinmans which might result if the application is granted and the effect thereof upon competition in the areas involved.

3. To obtain full information as to the staff proposed to be employed if the application is granted.

4. To determine the effect of the consideration paid upon the financial responsibility of the transferees and the program service of Station WRAW.

The applicants are hereby given the opportunity to obtain a hearing on such issues by filing a written appearance in accordance with the provisions of § 1.382 (b) of the Commission's rules of practice and procedure. Persons other than the applicants herein who desire to be heard must file a petition to intervene in accordance with the provisions of §§ 1.102, 1.141 and 1.142 of the Commission's rules of practice and procedure.

Addresses of the transferors, transferees and licensee are as follows:

Raymond A. Gaul, 334 N. Second Street, Reading, Pennsylvania.
Harold O. Landis, 341 N. Front Street, Reading, Pennsylvania.

WGAL, Inc., 8 West King Street, Lancaster, Pennsylvania.

Keystone Broadcasting Corporation, Radio Station WKBO, 31 N. Second Street, Harrisburg, Pennsylvania.

Reading Broadcasting Company, Radio Station WRAW, 533 Penn Street, Reading, Pennsylvania.

Dated at Washington, D. C., November 5, 1945.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-20856; Filed, Nov. 15, 1945;
9:59 a. m.]

[Docket Nos. 6043, 6141, 6140]

UTICA OBSERVER-DISPATCH, INC., ET AL.

ORDER DESIGNATING APPLICATIONS FOR FURTHER CONSOLIDATED HEARING ON STATED ISSUES

In re applications of: Utica Observer-Dispatch, Inc., Utica, New York, for construction permit, Docket No. 6043, File No. B1-P-2702; Midstate Radio Corporation, Utica, New York, for construction permit, Docket No. 6141, File No. B1-P-3171; Utica Broadcasting Company, Inc., Utica, New York, for construction permit, Docket No. 6140, File No. B1-P-3206.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of October 1945:

The Commission having under consideration the above entitled applications of Utica Observer-Dispatch, Inc., Midstate Radio Corporation, and Utica Broadcasting Company, Inc., all three for permits to erect new broadcast stations at Utica, New York, to be operated on the frequency 1450 kilocycles, with power of 250 watts, unlimited time;

It is ordered, That the said applications of Utica Observer-Dispatch, Inc., Midstate Radio Corporation, and Utica Broadcasting Company, Inc., be, and they are hereby, designated for further hearing, in consolidation with the application of Ronald B. Woodyard (Docket No. 6683), for a permit to construct a new standard broadcast station at Utica, New York, to be operated on the frequency 1450 kilocycles, with power of 250 watts unlimited time; and the application of Copper City Broadcasting Corporation (Docket No. 6744), for a permit to construct a new standard broadcast station at Rome, New York, to be operated on the frequency 1450 kilocycles, with power of 250 watts unlimited time, the said consolidated hearing to be held at Washington, D. C. on the 10th day of December, 1945, in Dockets Nos. 6043, 6141 and 6140, each upon the following issues:

1. To obtain current information concerning the legal, technical, financial and other qualifications of the applicant corporation and its officers, directors, and stockholders, to construct and operate the proposed station.

2. To obtain current information concerning the type and character of the program service which the applicant may be expected to render and the extent to which such service is now being

rendered by any other broadcast station or stations serving the proposed area in whole or in part.

3. To determine the applicant's proposals with respect to employment of personnel to construct and operate the proposed station.

4. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

5. To determine the nature, extent and effect of any interference which would result from the simultaneous operation of the proposed station and from the operation of a new station at Endicott, New York, as proposed in the application of Thomas J. Watson (File No. B1-MP-1370); of a new station at Binghamton, New York, as proposed in the application of Joseph H. McGillvra, Agnes I. McGillvra and Adam J. Young, Jr. d/b as Binghamton Broadcasting Company (File No. B1-P-3653; Docket No. 6657); and a new station at Rome, New York, as proposed in the application of Copper City Broadcasting Corporation (Docket No. 6744); the areas and populations affected thereby, and the character of other broadcast service available to these areas and populations.

6. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the character of other broadcast service available to such areas and populations.

7. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's Rules and Standards of Good Engineering Practice, concerning standard broadcast stations.

8. To determine whether, in view of the facts to be adduced under the foregoing issues and the facts heretofore adduced in previous hearings in Dockets Nos. 6043, 6141 and 6140, as well as the facts to be adduced under the issues in Dockets Nos. 6683 and 6744, any of these conflicting applications should be granted, and if so, which one.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-20857; Filed, Nov. 15, 1945;
9:59 a. m.]

[Docket No. 6744]

COPPER CITY BROADCASTING CORP.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Copper City Broadcasting Corporation, Rome, New York, for construction permit, File No. B1-P-3351.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of October, 1945;

The Commission having under consideration the above entitled application of the Copper City Broadcasting Corporation, for a permit to construct a new standard broadcast station at Rome, New York, to be operated on the frequency 1450 kilocycles, with power of 250 watts unlimited time;

It is ordered, That the said application be, and the same is hereby designated for hearing in a consolidated proceeding with the applications of Utica Observer-Dispatch, Inc. (Docket No. 6043), Midstate Radio Corporation (Docket No. 6141), Ronald B. Woodyard (Docket No. 6683) and Utica Broadcasting Company, Inc. (Docket No. 6140), all for permits to construct new standard broadcast stations at Utica, New York, to be operated on the frequency 1240 kilocycles, with power of 250 watts unlimited time; the said consolidated hearing to be held at Washington, D. C. on the 10th day of December, 1945, upon the following issues in Docket No. 6744.

1. To determine the legal, technical, financial, and other qualifications of the applicant corporation and of its officers, directors and stockholders to construct and operate the proposed station.

2. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed station and the character of other broadcast services available to those areas and populations.

3. To determine the type and character of program service proposed to be rendered and whether it would meet the requirements of the populations and areas proposed to be served.

4. To determine the qualifications and character of the personnel to be employed in the operation of the proposed station.

5. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine the nature, extent and effect of any interference which would result from the simultaneous operation of the proposed station, and from the operation of a station at Utica, New York, as proposed in the applications of (1) Utica Observer-Dispatch, Inc. (Docket No. 6043), (2) Midstate Radio Corporation (Docket No. 6141), (3) Utica Broadcasting Company, Inc. (Docket No. 6140) and (4) Ronald B. Woodyard (Docket No. 6683), and from the operation of a station at Binghamton, New York, as proposed in the application of Joseph H. McGilvra, Agnes I. McGilvra, and Adam J. Young, Jr., d/b as Binghamton Broadcasting Company (File No. B1-P-3653, Docket No. 6657), as well as the areas and populations affected thereby, and the character of other broadcast service available to these areas and populations.

7. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any other pending

applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

8. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's Rules and Standards of Good Engineering Practice, concerning standard broadcast stations.

9. To determine whether, in view of the facts adduced under the foregoing issues, and under the issues in the applications of Utica Observer-Dispatch, Inc. (Docket No. 6043), Midstate Radio Corporation (Docket No. 6141), Utica Broadcasting Company, Inc. (Docket No. 6140) and Ronald B. Woodyard (Docket No. 6683), any of these conflicting applications should be granted, and if so, which one.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-20858; Filed, Nov. 15, 1945;
10:00 a. m.]

[Docket No. 6683]

RONALD B. WOODYARD

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of Ronald B. Woodyard, Utica, New York, for construction permit, File No. B1-P-3636.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of October 1945:

The Commission having under consideration the above entitled application of Ronald B. Woodyard for a permit to construct a new standard broadcast station at Utica, New York, to be operated on the frequency 1450 kilocycles, with power of 250 watts, unlimited time;

It is ordered, That the said application be, and it is hereby designated for hearing in a consolidated proceeding with the applications of Utica Observer-Dispatch, Inc. (Docket No. 6043), Midstate Radio Corporation (Docket No. 6141), and Utica Broadcasting Company, Inc. (Docket No. 6140), all three for permits to construct new standard broadcast stations at Utica, New York, to be operated on the frequency 1450 kilocycles, with power of 250 watts unlimited time; and the application of Copper City Broadcasting Corporation (Docket No. 6744) for a permit to construct a new standard broadcast station at Rome, New York, to be operated on the frequency 1450 kilocycles, with power of 250 watts unlimited time; said consolidated hearing to be held at Washington, D. C. on the 10th day of December 1945, upon the following issues in Docket No. 6683:

1. To determine the applicant's legal, technical, financial and other qualifications to construct and operate the proposed station.

2. To determine the areas and population which may be expected to gain primary broadcast service from the operation of the proposed station, and what

other broadcast services are available to these areas and populations.

3. To determine the type and character of the program service which the applicant may be expected to render and the extent to which such service is now being rendered by any other broadcast station or stations serving the proposed area in whole or in part.

4. To determine the applicant's proposals with respect to the employment of personnel to construct and operate the proposed station.

5. To determine whether the operation of the proposed station would involve objectionable interference with any existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

6. To determine the nature, extent and effect of any interference which would result from the simultaneous operation of the proposed station and from the operation of a station at Endicott, New York, as proposed in the application of Thomas J. Watson (File No. B1-MP-1370); of a new station at Binghamton, New York, as proposed in the application of Joseph H. McGilvra, Agnes I. McGilvra and Adam J. Young, Jr. d/b as Binghamton Broadcasting Company (File No. B1-P-3653; Docket No. 6657); and a new station at Rome, New York, as proposed in the application of Copper City Broadcasting Corporation (Docket No. 6744); the areas and populations affected thereby, and the character of other broadcast service available to these areas and populations.

7. To determine whether the operation of the proposed station would involve objectionable interference with services proposed in any other pending applications for broadcast facilities, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

8. To determine whether the operation of the proposed station would be in compliance with the Commission's Rules and Standards of Good Engineering Practice concerning standard broadcast stations.

9. To determine whether in view of the facts to be adduced under the foregoing issues, as well as the facts heretofore adduced or to be adduced under the issues in the applications of Utica Observer-Dispatch, Inc. (Docket No. 6043), Midstate Radio Corporation (Docket No. 6141), Utica Broadcasting Company, Inc. (Docket No. 6140), and Copper City Broadcasting Corporation (Docket No. 6744), any of these conflicting applications should be granted, and if so, which one.

NOTE: The above issues supersede and replace the issues heretofore promulgated in the notice of hearing in Docket No. 6683, dated November 21, 1944, which notice is hereby cancelled.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-20859; Filed, Nov. 15, 1945;
10:00 a. m.]

[Docket No. 6788]

STAR BROADCASTING CO., INC.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re: Application of Star Broadcasting Company, Inc., Geneva, New York, for construction permit, File No. B1-P-3979.

At a session of the Federal Communications Commission held at its offices in Washington, D. C. on the 23d day of October 1945;

The Commission having under consideration an application (filed September 13, 1945) by Star Broadcasting Company, Inc., Geneva, New York, for construction permit (File No. B1-P-3979) to construct a new standard broadcast station for the use of the frequency 1240 kc, with 250 watts power, unlimited time; the motion filed (September 26, 1945) by said Star Broadcasting Company, Inc., requesting that the hearing on its application be consolidated with the proceedings heretofore held on the applications of Finger Lakes Broadcasting System (Gordon P. Brown, Owner), Geneva, New York (File No. B1-P-3581; Docket No. 6604), WARC, Inc., Rochester, New York (File No. B1-P-3565; Docket No. 6605), Rochester Broadcasting Corporation, Rochester, New York (File No. B1-P-3593; Docket No. 6606), and Seneca Broadcasting Corporation, Rochester, New York (File No. B1-P-3618; Docket No. 6607), each of which seek the use of 1240 kc with 250 watts power, unlimited time; and the oppositions to the motion of Star Broadcasting Company, Inc., by WARC, Inc., Rochester, New York (filed September 28, 1945) and by Finger Lakes Broadcasting System (Gordon P. Brown, Owner), Geneva, New York (filed October 3, 1945);

It is ordered, That said application of Star Broadcasting Company, Inc. be, and it is hereby, designated for hearing; that the motion of Star Broadcasting Company, Inc., be, and it is hereby granted; and the hearing on said application of Star Broadcasting Company, Inc. be, and it is hereby, consolidated with the proceedings heretofore had on the above-described applications in Dockets Nos. 6604-6607, inclusive, said hearing to be held at Washington, D. C. on the 10th day of December, 1945 upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicant to construct and operate the proposed station.
2. To determine the nature and character of the program service proposed by the applicant and whether it will meet the requirements of the population and area proposed to be served.
3. To determine the areas and populations which would receive primary service from the operation of the proposed station, and what other broadcast services are available to those areas and populations.
4. To determine the extent of any interference which would result from the simultaneous operation of the proposed station and Stations WATN and WENY.
5. To determine the areas and populations which may be expected to lose

primary service particularly from Stations WATN and WENY as a result of the operation of the proposed station, and what other broadcast services are available to those areas and populations.

6. To determine whether in view of the facts adduced under the foregoing issues, and the issues heretofore adduced in Dockets 6604, 6605, 6606 and 6607, any of these mutually exclusive applications should be granted, and if so, which one.

It is further ordered, That Watertown Broadcasting Corporation (WATN), Watertown, New York and the Elmira Star Gazette (WENY), Elmira, New York be, and they are made parties in said consolidated hearing.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION
T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-20861; Filed, Nov. 15, 1945;
10:00 a. m.]

[Docket Nos. 6604, 6605, 6606, 6607, 6788]

FINGER LAKES BROADCASTING SYSTEM ET AL.
ORDER DESIGNATING APPLICATIONS FOR FURTHER CONSOLIDATED HEARING ON STATED ISSUE

In re applications of The Finger Lakes Broadcasting System (Gordon P. Brown, owner), Geneva, New York, for construction permit, Docket No. 6604, File No. B1-P-3581; WARC, Inc., Rochester, New York, for construction permit, Docket No. 6605, File No. B1-P-3565; Rochester Broadcasting Corporation, Rochester, New York, for construction permit, Docket No. 6606, File No. B1-P-3593; Seneca Broadcasting Corporation, Rochester, New York, for construction permit, Docket No. 6607, File No. B1-P-3618; Star Broadcasting Company, Inc., Geneva, New York, for construction permit, Docket No. 6788, File No. B1-P-3979.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 23d day of October 1945.

The Commission having designated for hearing the above-entitled application of Star Broadcasting Company, Inc., Geneva, New York, for construction permit (File No. B1-P-3979, Docket No. 6788), to be consolidated with the proceedings heretofore held in Dockets Nos. 6604-6607, inclusive,

It is ordered, That the above-entitled applications in Dockets Nos. 6604-6607, inclusive, be, and they are hereby, designated for further consolidated hearing with Docket No. 6788 to be held at Washington, D. C., on the 10th day of December 1945, on the following issue:

1. To determine whether in view of the facts adduced in the issues in Docket No. 6788 and the issues heretofore adduced in Dockets Nos. 6604, 6605, 6606, and 6607, any of these mutually exclusive applications should be granted, and if so, which one.

[SEAL] FEDERAL COMMUNICATIONS
COMMISSION
T. J. SLOWIE,
Secretary.

[F. R. Doc. 45-20860; Filed, Nov. 15, 1945;
10:00 a. m.]

FEDERAL POWER COMMISSION.

[Docket Nos. G-507, G-508, G-510, G-516,
G-519, G-670]

HOPE NATURAL GAS CO. ET AL.

ORDER REOPENING PROCEEDINGS, CONSOLIDATING PROCEEDINGS AND FIXING DATE OF HEARING

NOVEMBER 9, 1945.

In the matters of Hope Natural Gas Company, Docket No. G-507; New York State Natural Gas Corporation, Docket No. G-508; The Manufacturers Light and Heat Company, and Manufacturers Gas Company, Docket No. G-510; United Fuel Gas Company, Docket No. G-516; Home Gas Company, Docket No. G-519; in the matter of Dempseytown Gas Company, Docket No. G-670.

It appears to the Commission that:

(a) By the Commission's Opinion No. 114 and accompanying order entered April 26, 1944, in Docket Nos. G-507, G-508, G-510, G-516, and G-519, Hope Natural Gas Company ("Hope") and New York State Natural Gas Corporation ("New York State Company") were authorized to construct and operate the following-described facilities:

(1) Approximately 18 miles of 12¾-inch natural-gas transmission pipeline extending from Hope's Hastings Compressor Station in Wetzel County, West Virginia, to the West Virginia-Pennsylvania State boundary line near Hundred, Wetzel County, West Virginia, and two additional steam-engine-driven compressors at Hope's Hastings Compressor Station aggregating 4,000 horsepower, with an additional boiler and auxiliary equipment (Docket No. G-507).

(2) Approximately 127 miles of 12¾-inch natural-gas transmission pipeline extending from a point of connection with the pipeline described in paragraph (a) (1) on the boundary line between Green County, Pennsylvania, and Wetzel County, West Virginia, in a northeasterly direction to a terminal point in Limestone Township, Clarion County, Pennsylvania (Docket No. G-508).

(b) Paragraph (c) of the aforesaid order of April 26, 1944, provides as follows:

(c) Until further order of the Commission, the facilities herein authorized shall be operated exclusively for the purpose of enabling Hope Natural Gas Company and New York State Natural Gas Corporation to supply the natural-gas requirements of the following-named customers of New York State Natural Gas Corporation in accordance with the terms and provisions of existing contracts covering the sale and delivery of such requirements, limited, however, to the maximum annual quantities of natural gas set forth in the following tabulation:

	Annual volume (Mcf.)
New York State Electric & Gas Corp.	1,900,000
Central New York Power Corp.	3,300,000
Empire Gas & Fuel Co. (Pa.)	303,750
Godfrey L. Cabot, Inc.	592,750
North Penn Gas Co. and Allegheny Gas Co.	1,581,250
Penn-York Natural Gas Corp.	1,718,000

(c) On October 3, 1945, Dempseytown Gas Company ("Dempseytown"), Docket No. G-670, filed with the Commission an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of approximately 9.19 miles of 4-inch pipeline extending from a point on the existing 12-inch pipeline of New York State Natural Gas Corporation in Limestone Township, Clarion County, Pennsylvania, to a point of connection with an existing 5-inch pipeline of Dempseytown in Monroe Township, Clarion County, Pennsylvania. The facilities proposed would be utilized by Dempseytown for the purpose of transporting natural gas which would be purchased from New York State Natural Gas Corporation and selling such gas at wholesale and retail in the counties of Clarion, Venango and Forest, all within the State of Pennsylvania.

(d) On October 16, 1945, New York State Natural Gas Corporation, Docket No. G-508, filed with the Commission an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, for authority to deliver and sell to Dempseytown Gas Company approximately 304,000 Mcf of natural gas per year which would be transported through the facilities authorized by the order of the Commission dated April 26, 1944, in Docket No. G-508. New York State Company, in its application, requests the Commission to modify paragraph (C) of the aforesaid order of April 26, 1944, hereinbefore quoted, so as to permit the delivery and sale of natural gas to Dempseytown Gas Company.

(e) On October 11, 1945, New York State Natural Gas Corporation Docket No. G-508, filed with the Commission a petition requesting modification of the limitation imposed by paragraph (C) of the aforesaid order of April 26, 1944, insofar as it pertains to the sale and delivery of natural gas to Empire Gas and Fuel Company. New York State Company requests that the limitation be modified in such manner as to permit it to increase from 303,750 Mcf to at least 669,000 Mcf the maximum annual quantity of natural gas deliverable to Empire Gas and Fuel Company.

(f) The present limitation of 303,750 Mcf on the maximum annual quantity of natural gas deliverable by New York State Company to Empire Gas and Fuel Company is the total of the daily deliveries provided for in New York State Natural Gas Corporation Rate Schedule FPC No. 19; that is, 1,000 Mcf per day during the months of January through April and 750 Mcf per day during the other eight months of each year. On September 6, 1945, New York State Company entered into a supplemental agreement with Empire Gas and Fuel Company which provides for the delivery of an additional quantity of 1,000 Mcf of natural gas each day after January 1, 1946. The supplemental agreement further provides that December deliveries beginning December 1, 1945, are to be 1,000 Mcf per day instead of 750 Mcf, and

April deliveries are to be 750 Mcf instead of 1,000 Mcf.

(g) On October 30, 1945, Hope Natural Gas Company, Docket No. G-507, filed with the Commission a petition requesting modification of the limitation imposed by paragraph (c) of the aforesaid order of April 26, 1944, in such manner as to permit Hope to sell and deliver to New York State Company such additional quantities of natural gas as will enable the latter to meet the requirements of Dempseytown Gas Company and the additional requirements of Empire Gas and Fuel Company hereinbefore referred to. Hope further requests the Commission to modify the limitation imposed by paragraph (c) of the aforesaid order of April 26, 1944, in such manner as to permit Hope to supply the natural gas requirements of New York State Company in accordance with the terms and provisions of an agreement of November 1, 1943, between the companies, Hope Natural Gas Company Rate Schedule FPC No. 9, and up to the maximum quantity therein specified, 14,000,000 Mcf per year.

The Commission finds that:

(1) It is necessary and appropriate in the public interest that the record in the proceedings docketed as *In the Matters of Hope Natural Gas Company, et al.*, Docket Nos. G-507, G-508, G-510, G-516, and G-519, be reopened for the purpose of taking evidence with respect to the matters involved and the issues presented (1) by the application of New York State Natural Gas Corporation, Docket No. G-508, filed October 16, 1945, for a certificate of public convenience and necessity to authorize the sale and delivery of natural gas to Dempseytown Gas Company, and (2) by the several petitions of New York State Natural Gas Corporation, Docket No. G-507, and Hope Natural Gas Company, Docket No. G-508, filed October 11 and October 30, 1945, respectively, requesting modification of paragraph (C) of the Commission's aforesaid order of April 26, 1944.

(2) The reopened proceedings referred to in paragraph (1) hereof may present substantially similar issues and facts as those presented in connection with the application of Dempseytown Gas Company, Docket No. G-670, filed October 3, 1945, and referred to in paragraph (c) hereof, and good cause exists for consolidating the proceedings for purpose of hearing thereof.

The Commission orders that:

(A) The record in the proceedings docketed as *In the Matters of Hope Natural Gas Company, et al.*, Docket No. G-507, G-508, G-510, G-516, and G-519 be and it is hereby reopened for the purpose of taking evidence with respect to the matters involved and the issues presented (1) by the application of New York State Natural Gas Corporation, Docket No. G-508, filed October 16, 1945, for a certificate of public convenience and necessity to authorize the sale and delivery of natural gas to Dempseytown Gas Company, and (2) by the several petitions of New York State Natural Gas Corporation, Docket No. G-507, and Hope Natural Gas Company, Docket No. G-508, filed October 11, and October 30, 1945,

respectively, requesting modification of paragraph (C) of the Commission's aforesaid order of April 26, 1944.

(B) The reopened proceedings be consolidated for purpose of hearing with the proceeding docketed as *In the Matter of Dempseytown Gas Company*, Docket No. G-670.

(C) A public hearing be held in the consolidated proceedings on November 26, 1945, at 10:00 a. m., in the Council Chambers of City Building, Port Allegheny, Pennsylvania.

(D) All interveners in the proceedings docketed as *In the Matters of Hope Natural Gas Company, et al.*, Docket Nos. G-507, G-508, G-510, G-516, and G-519, may participate in the reopened and consolidated proceedings in accordance with leave heretofore granted by the Commission.

(E) Interested State commissions may participate in said hearing as provided in § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

By the Commission.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-20827; Filed, Nov. 14, 1945;
2:03 p. m.]

[Docket Nos. G-667, G-668, G-672, G-673]

NORTHERN NATURAL GAS CO.

ORDER CONSOLIDATING PROCEEDINGS AND
FIXING DATE OF HEARING

NOVEMBER 9, 1945.

Upon consideration of the following applications filed by Northern Natural Gas Company (Applicant) for certificates of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended:

(a) Application filed September 27, 1945 (Docket No. G-667) for authority to construct and operate the following described facilities:

(i) Certain additions and improvements to compressor stations of Applicant consisting of:

(1) Installation of two additional 1000 H. P. compressor units and appurtenant equipment and facilities at the Sublette, Kansas, compressor station.

(2) Installation of one additional 900 H. P. compressor unit and appurtenant equipment and facilities at the Oakland, Iowa, compressor station.

(3) Installation of one additional 800 H. P. compressor unit and appurtenant equipment and facilities at the South Sioux City, Nebraska, compressor station.

(ii) New compressor stations of Applicant consisting of:

(1) Construction of a 450 H. P. gas compressor station on the 18-inch gas line of Applicant near Otis, Kansas.

(2) Construction of a 2400 H. P. gas compressor station on the 16-inch main gas transmission line of Applicant near Cherokee, Iowa.

(iii) Additional loop lines of Applicant consisting of:

(1) Construction of approximately 37.85 miles of 24-inch O. D. loop line in

Kansas, approximately midway between Mullinville and Bushton stations and completing a double pipe line system between these two compressor stations.

(2) Construction of approximately 30.0 miles of 24-inch O. D. loop line in Kansas, approximately midway between Bushton and Clifton stations and completing a double pipe line system between these two compressor stations.

(3) Construction of approximately 13.5 miles of 24-inch O. D. loop line extending southwesterly from Beatrice compressor station and effecting a double pipe line system between Clifton and Beatrice compressor stations in Nebraska.

(4) Construction of approximately 22.4 miles of 24-inch O. D. loop line, extending southwesterly from Palmyra compressor station and completing a double pipe line system between Beatrice and Palmyra compressor stations in Nebraska.

(5) Construction of approximately 82.8 miles of 20-inch O. D. loop line in Kansas, extending northeasterly from Applicant's Sublette compressor station to Applicant's Mullinville compressor station.

(6) Construction of approximately 31.56 miles of 20-inch O. D. loop line in Iowa, extending northerly from Applicant's Ogden compressor station and connecting at a point on its 20-inch transmission line in Webster County, Iowa.

(7) Construction of approximately 13.7 miles of 18-inch O. D. loop line in Nebraska, extending southerly from Applicant's Hooper compressor station and connecting at a point on Applicant's 16-inch line in Saunders County, Nebraska.

(8) Construction of approximately 25.92 miles of 18-inch O. D. loop line in Nebraska, extending northerly from Applicant's Hooper compressor station and connecting at a point on Applicant's 16-inch line in Burt County, Nebraska.

(9) Construction of approximately 6.8 miles of 12½-inch O. D. pipe line extending northwesterly from the South St. Paul town border station and connecting with the St. Paul town border station.

(10) Together with tie-over lines, valve settings and other appurtenances necessary or convenient for the utilization of the facilities described above.

(b) Application filed September 27, 1945 (Docket No. G-668) for authority to construct and operate approximately 8.5 miles of 4½-inch O. D. pipe line, from a point of connection with Applicant's 20-inch pipe line in Section 11, Township 89 North, Range 27 West, Webster County, Iowa, extending in a southeasterly direction to a point at or near the corporate limits of Webster City, Iowa, together with a measuring and regulating station, to be located at the terminus of said pipe line.

(c) Application filed October 8, 1945 (Docket No. G-672) for authority to construct and operate the following described facilities:

(1) Approximately 9.7 miles of 4½-inch O. D. pipe line, together with appurtenances thereto, from a point of connection with Applicant's 6-inch pipe line in Section 5, Township 112 North,

Range 23 West, Le Sueur County, Minnesota, and extending in a northwesterly direction to a point at or near the corporate limits of Belle Plaine, Minnesota, together with a measuring and regulating station, to be located at the terminus of said pipe line.

(2) Approximately 4.0 miles of 2-inch O. D. pipe line, together with appurtenances thereto, from a point of connection with Applicant's 4-inch pipe line in Section 11, Township 113 North, Range 24 West, Scott County, Minnesota, and extending in a northeasterly direction to a point at or near the corporate limits of Jordan, Minnesota, together with a measuring and regulating station, to be located at the terminus of said pipe line.

(3) Approximately 0.38 mile of 2-inch O. D. pipe line, together with appurtenances thereto, from a point of connection with Applicant's 8-inch pipe line in Section 4, Township 107 North, Range 24 West, Waseca County, Minnesota, and extending in a northerly direction to a point at or near the corporate limits of Janesville, Minnesota, together with a measuring and regulating station, to be located at the terminus of said pipe line.

(d) Application filed October 8, 1945 (Docket No. G-673) for authority to construct and operate the following described facilities:

(1) Approximately 4.25 miles of 3½-inch O. D. pipe line, together with appurtenances thereto, from a point of connection with Applicant's 16-inch pipe line in the Northwest Quarter (NW¼) of Section 5, Township 81 North, Range 26 West, Dallas County, Iowa, and extending in a northeasterly direction to a point at or near the corporate limits of Madrid, Iowa, together with a measuring and regulating station, to be located at the terminus of said pipe line.

(2) Approximately 0.6 mile of 2¾-inch O. D. pipe line, together with appurtenances thereto, from a point of connection with Applicant's 16-inch pipe line in the Northeast Quarter (NE¼) of Section 1, Township 80 North, Range 26 West, Dallas County, Iowa, and extending in a southwesterly direction to a point at or near the corporate limits of Granger, Iowa, together with a measuring and regulating station, to be located at the terminus of said pipe line.

(3) Approximately 3.0 miles of 2¾-inch O. D. pipe line, together with appurtenances thereto, from a point of connection with Applicant's 16-inch pipe line in the Southeast Quarter (SE¼) of Section 27, Township 80 North, Range 25 West, Polk County, Iowa, and extending in a southwesterly direction to a point at or near the corporate limits of Grimes, Iowa, together with a measuring and regulating station, to be located at the terminus of said pipe line.

(4) Approximately 0.91 mile of 2-inch O. D. pipe line together with appurtenances thereto, from a point of connection with Applicant's 16-inch pipe line in the Northeast Quarter (NE¼) of Section 22, Township 101 North, Range 33 West, Martin County, Minnesota, and extending in a northerly direction to a point at or near the corporate limits of Dunnell, Minnesota, together with a measuring and regulating station, to be located at the terminus of said pipe line.

(5) Approximately 2.2 miles of 2-inch O. D. pipe line, together with appurtenances thereto, from a point of connection with Applicant's 24-inch pipe line in the Southeast Quarter (SE¼) of Section 23, Township 11 North, Range 10 East, Cass County, Nebraska, and extending in a northerly direction to a point at or near the corporate limits of Murdock, Nebraska, together with a measuring and regulating station, to be located at the terminus of said pipe line.

It appears to the Commission that: Good cause exists for consolidating the above matters for purposes of hearing.

The Commission orders that:

(A) The proceedings in Docket Nos. G-667, G-668, G-672 and G-673 be and they are hereby consolidated for the purposes of hearing.

(B) A public hearing be held with respect to the matters involved and the issues presented in the consolidated proceedings beginning on November 28, 1945, at 10:00 a. m. (e. s. t.) in the hearing room of the Federal Power Commission, 1800 Pennsylvania Avenue, N. W., Washington, D. C.

(C) Interested State commissions may participate in this hearing in accordance with § 67.4 of the provisional rules of practice and regulations under the Natural Gas Act.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 45-20835; Filed, Nov. 14, 1945;
2:27 p. m.]

FEDERAL TRADE COMMISSION.

[File No. 21-386]

WATCHES, WATCH CASES AND WATCH MOVEMENTS

NOTICE OF HEARING AND OF OPPORTUNITY TO PRESENT VIEWS, SUGGESTIONS, OR OBJECTIONS WITH RESPECT TO PROPOSED TRADE PRACTICE RULES

At a regular session of the Federal Trade Commission held at its office in the City of Washington, D. C., on the 15th day of November A. D. 1945.

In the matter of proposed trade practice rules relating to use of the terms "waterproof," "shockproof," "non-magnetic," and similar designations as applied to watches, watch cases, and watch movements.

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, partnerships, corporations, associations, or other parties or groups, including consumers, affected by or having an interest in the proposed trade practice rules covering the use of the terms "waterproof," "shockproof," "non-magnetic," and similar designations in describing or referring to watches, watch cases, and watch movements, to present to the Commission their views concerning said rules, including such pertinent information, suggestions, or objections as they may desire to submit, and to be heard in the premises.

For this purpose they may obtain copies of the proposed rules upon application to the Commission. Such views, information, suggestions, or objections may be

submitted by letter, memorandum, brief, or other communication, to be filed with the Commission not later than December 18, 1945. Opportunity to be heard orally will be afforded at the hearing beginning at 10 a. m., December 18, 1945, in Room 332, Federal Trade Commission Building, Pennsylvania Avenue at Sixth Street NW., Washington, D. C., to any such persons, partnerships, corporations, associations, or other parties or groups, including consumers, desiring to appear and be heard. After due consideration of all matters presented in writing or orally, the Commission will proceed to final action on the proposed rules.

By the Commission.

OTIS B. JOHNSON,
Secretary.

[F. R. Doc. 45-20865; Filed, Nov. 15, 1945;
11:09 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 188, Order 4666]

THE GROTE MANUFACTURING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by The Grote Manufacturing Company, Bellevue, Ky.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—				
		Wholesalers (jobbers)	Dropship jobbers	Chain and department stores	Other retailers	Consumers
Medicine cabinet.	8117	Each \$0.78	Each \$0.80	Each \$0.93	Each \$1.03	Each \$1.55
Medicine cabinet without lights.	SF264	8.26	9.35	11.01	12.23	18.35
Medicine cabinet with lights.	SF264	14.32	16.24	19.11	21.23	31.85
Medicine cabinet without lights.	MC264	7.52	8.72	10.26	11.40	17.10
Medicine cabinet with lights.	MC264	13.77	15.61	18.36	20.40	30.60

These maximum prices are for the articles described in the manufacturer's application dated September 26, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary

terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the correct model number and retail price properly filled in:

Model No. -----
OPA Retail Ceiling Price—\$-----
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 14th day of November 1945.

Issued this 13th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20772; Filed, Nov. 13, 1945;
4:33 p. m.]

[MPR 188, Order 4665]

C. F. PIEHL

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by C. F. Piehl, 69 North Clinton Avenue, Bayshore, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Retailers (6 units or more)	Retailers (less than 6 units)	Consumers
Heating pad.	75 watt.	Each \$2.75	Each \$3.25	Each \$3.50	Each \$5.25

These maximum prices are for the articles described in the manufacturer's application dated September 18, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment in 10 days, net 30 days. These prices include the Federal Excise Tax.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number, model number and retail prices properly filled in:

Order No. 4665
Model No. -----
OPA Retail Ceiling Price—\$-----
Federal Excise Tax Included
Do Not Detach or Obliterate

OR

C. F. Piehl
69 North Clinton Ave.
Bayshore, New York
Model No. -----
OPA Retail Ceiling Price—\$-----
Federal Excise Tax Included
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 14th of November 1945.

Issued this 13th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20771; Filed, Nov. 13, 1945;
4:33 p. m.]

[MPR 188, Order 4667]

UNIVERSAL ENGINEERING CO. OF SAN DIEGO

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the Universal Engineering Company of San Diego, 2230-32 National Avenue, San Diego 2, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—						
		Industrial users						Other consumers
		Jobbers	Retailers	List price	Up to \$100	\$100.01 to \$300	\$300.01 to \$1,500	
Spanner wrench.	TU10	Each \$0.87	Each \$1.09	\$1.45	(1)	(2)	(3)	Each \$1.45
Spanner wrench.	TU20	2.40	3.00	4.00	(1)	(2)	(3)	4.00
Spanner wrench.	TU25	2.73	3.41	4.55	(1)	(2)	(3)	4.55

¹ Less 10 percent.
² Less 15 percent.

³ Less 20 percent.
⁴ Less 25 percent.

These maximum prices are for the articles described in the manufacturer's application dated July 23, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory with full freight allowed on shipments of 100 lbs. or more, and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the correct model number and retail price properly filled in:

Model No. TU1010
OPA Retail Ceiling Price—\$1.45 each
Do Not Detach or Obliterate

Model No. TU1020
OPA Retail Ceiling Price—\$4.00 each
Do Not Detach or Obliterate

Model No. TU1025
OPA Retail Ceiling Price—\$4.55 each
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing of the maximum

prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 14th day of November 1945.

Issued this 13th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20773; Filed, Nov. 13, 1945;
4:34 p. m.]

[MPR 188, Order 4668]

AEROLUX ELECTRICAL APPLIANCE CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Aerolux Electrical Appliance Company, 5838 Germantown Avenue, Philadelphia 44, Pa.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Retailers (6 units or more)	Retailers (less than 6 units)	Consumers
Electric hot plate, porcelain finish.	AEA1	Each \$2.97	Each \$3.55	Each \$3.82	Each \$5.75

These maximum prices are for the articles described in the manufacturer's application dated August 2, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment in 10 days, net 30 days. These prices include the Federal Excise Tax.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers

is established by this order. That tag or label shall contain either of the following statements with the correct order number, model number and retail prices properly filled in:

Order No 4668

Model No. -----

OPA Retail Ceiling Price—\$-----

Federal Excise Tax Included

Do Not Detach or Obliterate

OR

Aerolux Electrical Appliance Co.
5838 Germantown Avenue
Philadelphia 44, Pa.

Model No. -----

OPA Retail Ceiling Price—\$-----

Federal Excise Tax Included

Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 14th day of November 1945.

Issued this 13th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20774; Filed, Nov. 13, 1945;
4:34 p. m.]

[MPR 188, Order 4669]

THE SPARTAN CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by The Spartan Company, 1428 West 28th Street, Minneapolis 8, Minn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Chain and department stores	Other retailers	Consumers
Can opener - pouring device.	7	Each \$0.88	Each \$0.45	Each \$0.50	Each \$0.75
Kitchen maid sponge mop.	25	1.00	1.20	1.33	2.00

These maximum prices are for the articles described in the manufacturer's application dated September 22, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the correct model number and retail price properly filled in:

Model No. -----
OPA Retail Ceiling Price—\$-----
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing, of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 14th day of November, 1945.

Issued this 13th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20775; Filed, Nov. 13, 1945;
4:34 p. m.]

[MPR 188, Order 4670]

NEW CUMBERLAND METAL PRODUCTS APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the New Cumberland Metal Products of Chester Street, New Cumberland, W. Va.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Manu- fac- turers agent	Whole- salers (job- bers)	Retail- ers	Con- sumers
Ice scraper- edger.....	500	Dozen \$3.19	Dozen \$3.55	Dozen \$4.73	Each \$0.59

These maximum prices are for the articles described in the manufacturer's application dated October 13, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 60 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the correct model number and retail price properly filled in:

Model No. 500
OPA Retail Ceiling Price—\$0.59 Each
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 14th day of November 1945.

Issued this 13th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20776; Filed, Nov. 13, 1945;
4:34 p. m.]

[MPR 188, Order 4671]

SPIERTI INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Sperti Incorporated, Beech and Kenilworth Avenues, Cincinnati 12, Ohio.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any seller to—			
		Whole- salers (job- bers)	Retail- ers (6 units or more)	Retail- ers (less than 6 units)	Con- sumers
Electric iron, cord and plug, chrome finish, aluminum sole plate, plastic handle.....	A X10	Each \$3.78	Each \$4.47	Each \$4.81	Each \$7.25

These maximum prices are for the articles described in the manufacturer's application dated October 1, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices include Federal Excise Tax. These prices are f. o. b. factory and subject to a cash discount of 2% for payment in 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number, model number and retail prices properly filled in:

Order No. 4671
Model No. -----
OPA Retail Ceiling Price—\$-----
Federal Excise Tax Included
Do Not Detach or Obliterate

OR

Sperti Incorporated
Beech and Kenilworth Avenues
Cincinnati 12, Ohio
Model No. -----
OPA Retail Ceiling Price—\$-----
Federal Excise Tax Included
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 14th of November, 1945.

Issued this 13th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20777; Filed, Nov. 13, 1945;
4:35 p. m.]

[MPR 120, Order 1517]

FEDS CREEK COAL CO., INC. ET AL.

ESTABLISHMENT OF MAXIMUM PRICES

For the reasons set forth in an accompanying opinion, and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; It is ordered:

Producers identified herein operate named mines assigned the mine index numbers, the price classifications and the maximum prices in cents per net ton for the indicated uses and shipments as set forth herein. All are in District No. 8. The mine index numbers and the price

classifications assigned are permanent but the maximum prices may be changed by amendment issued after the effective date of this order. Where such an amendment is issued for the district in which the mines involved herein are located and where the amendment makes no particular reference to a mine or mines involved herein, the prices shall be the prices set forth in such amendment for the price classifications of the respective size groups. The location of each mine is given by county and state. The maximum prices stated to be for truck shipments are in cents per net ton f. o. b. the mine or preparation plant and when stated to be for rail shipment or for railroad fuel are in cents per net ton f. o. b. rail shipping point. In cases where mines ship coals by river the prices for such shipments are those established for rail shipment and are in cents per net ton f. o. b. river shipping point. However, producer is subject to the provisions of § 1340.219 and all other provisions of Maximum Price Regulation No. 120.

FEDS CREEK COAL CO., INC., HARMAN, VA., BIG CREEK MINE, UPPER FEDS CREEK SEAM, MINE INDEX NO. 7515, PIKE COUNTY, KY., SUBDISTRICT 8, RAIL SHIPPING POINT: BIGGS, KY., F. O. G. 130, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.															
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20	21	23
Price classification	M	M	M	M	M	H	H	G	E	C	E	A	B	B	B	F
Rail shipments and railroad fuel	365	365	365	360	360	350	350	330	330	330	335	330	320	320	315	260
Truck shipment	395	375	350	350	350	335	310	275	270							

HONEYCUTT COAL CO., WALLINS CREEK, KY., HONEYCUTT MINE, BULL DOG SEAM, MINE INDEX NO. 7523, HARLAN COUNTY, KY., SUBDISTRICT 2, RAIL SHIPPING POINT: ESSON, KY., F. O. G. 80, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.															
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20	21	
Price classification	O	O	O	O	O	L	L	K	F	D	D	D	H	H	H	H
Rail shipments and railroad fuel	360	355	340	340	340	335	328	330	330	330	335	315	310	300	285	
Truck shipment	395	375	350	350	350	335	310	275	270							

EABL MARCUM, WILLIAMSFORD, KY., MARCUM NO. 2 MINE, MILLERS CREEK SEAM, MINE INDEX NO. 7593, JOHNSON COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT: PAINTSVILLE, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 2

	Size group Nos.															
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20	21	
Price classification	D	D	D	D	D	E	E	E	E	C	C	A	G	G	G	G
Rail shipments and railroad fuel	420	410	410	395	385	385	355	335	330	330	335	320	310	300	285	
Truck shipment	450	410	385	380	345	320	275	270								

MULLINS COAL CO., C/O J. A. MULLINS, BLACKY, KY., MULLINS MINE, HAZARD NO. 4 SEAM, MINE INDEX NO. 7594, HENDERSON COUNTY, KY., SUBDISTRICT 3, RAIL SHIPPING POINT: BLACKY, KY., F. O. G. 100, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.															
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20	21	
Price classification	M	M	M	M	M	K	K	J	G	E	G	D	K	K	K	K
Rail shipments and railroad fuel	365	365	360	360	360	350	350	330	325	325	360	315	300	285	285	
Truck shipment	395	375	350	350	350	330	325	275	270							

Subject to provisions of Revised Order 1432 under M. P. R. 120.

ROBINSON & McREYNOLDS COAL CO., C/O C. W. ROBINSON, LEPANON, VA., ROBINSON & McREYNOLDS COAL CO., MINE WIDOW KENNEDY SEAM, MINE INDEX NO. 7598, TAZEWELL COUNTY, VA., SUBDISTRICT 7, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.															
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20	21	
Price classification	O	O	O	O	O	K	K	J	F	C	E	D	G	G	G	G
Rail shipments and railroad fuel	360	355	340	340	340	330	330	330	330	330	385	315	310	300	285	
Truck shipment	395	375	350	350	350	335	310	275	270							

C. L. RHOR & SON COAL CO., P. O. Box 293, NORTON, VA., ROHR NO. 3 MINE, DORCHESTER SEAM, MINE INDEX NO. 7597, WISE COUNTY, VA., SUBDISTRICT 7, RAIL SHIPPING POINT: DORCHESTER, VA., F. O. G. 200 STRIP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

VAN HOOSE & SHERMAN, C/O CLAYDE VAN HOOSE, STEA, KY., VAN HOOSE & SHERMAN MINE, MILLERS CREEK SEAM, MINE INDEX NO. 7599, JOHNSON COUNTY, KY., SUBDISTRICT 1, RAIL SHIPPING POINT: PAINTSVILLE, KY., F. O. G. 61, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 2

	Size group Nos.															
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20	21	
Price classification	D	D	D	D	D	E	E	E	E	C	C	A	G	G	G	G
Rail shipments and railroad fuel	420	410	410	395	385	385	355	335	330	330	335	320	310	300	285	
Truck shipment	450	410	385	380	345	320	275	270								

BEST WILSON, R. F. D. No. 2, ASHLAND, KY., ALONZO WAGGONER MINE, No. 7 SEAM, MINE INDEX NO. 7603, GREENUP COUNTY, KY., SUBDISTRICT 1, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 5

	Size group Nos.															
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20	21	
Price classification	D	D	D	D	D	E	E	E	E	C	C	A	G	G	G	G
Rail shipments and railroad fuel	420	410	410	395	385	385	355	335	330	330	335	320	310	300	285	
Truck shipment	450	410	385	380	345	320	275	270								

HIGH SPIRIT COAL CO., HIGH SPIRIT, KY., MINE INDEX NO. 7610, HARLAN COUNTY, KY., SUBDISTRICT 2, RAIL SHIPPING POINT, HIGH SPIRIT, KY., F. O. G. 80, DEEP MINE, MAXIMUM TRUCK PRICE GROUP NO. 1

	Size group Nos.															
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20	21	
Price classification	A	A	A	A	A	A	A	A	A	A	A	A	E	E	E	H
Rail shipments and railroad fuel	450	450	450	430	430	410	385	365	350	340	420	320	310	305	305	265
Truck shipment	455	435	365	350	345	320	275	270								

This order shall become effective November 15, 1945.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued this 14th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20801; Filed, Nov. 14, 1945;
11:50 a. m.]

[MPR 120, Order 1518]

NICK LAWRENCE COAL CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and in accordance with § 1340.210 (a) (6) of Maximum Price Regulation No. 120; It is ordered:

(a) The Nick Lawrence Coal Company Nos. 1-A and 1-C Mines are hereby assigned Mine Index Nos. 7489 and 7602.

respectively. Their coals are classified in Freight Origin Group No. 80 for rail shipment. The coals of the Nick Lawrence Coal Company No. 1-A mine are classified in Maximum Truck Price Group No. 5 and those of the Nick Lawrence Coal Company No. 1-C Mine in Maximum Truck Price Group No. 2 for truck shipment.

(b) Coals produced by Nick Lawrence Coal Company from the A and C Seams

at its Nos. 1-A and 1-C Miles, Mine Index No. 7489 and 7602, respectively, located in Letcher County Kentucky, in Subdistrict No. 3 of District No. 8 may be purchased and sold at prices in cents per net ton not exceeding the following, plus, in the case of coals shipped by rail, the sum of 40 cents per net ton authorized by Second Revised Order No. 1432 under MPR No. 120:

NICK LAWRENCE COAL COMPANY NO. 1-A MINE, MINE INDEX NO. 7489

	Size group Nos.															
	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19	20, 21		
Price classifications.....	L	L	L	L	H	H	G	F	D	D	C	F	F	F		
All methods of transportation (except truck or wagon) and for all uses.....	\$3.65	\$3.65	\$3.60	\$3.60	\$3.60	\$3.50	\$3.30	\$3.30	\$3.30	\$3.30	\$3.85	\$3.15	\$3.10	\$3.05	\$3.05	
Truck or wagon shipments.....	3.95	3.75	3.50	3.50	3.35	3.10	2.75	2.70								

NICK LAWRENCE COAL COMPANY NO. 1-C MINE, MINE INDEX NO. 7602

	E	E	E	E	D	D	C	C	A	C	A	E	E	E		
Price classifications.....																
All methods of transportation (except truck or wagon) and for all uses.....	\$4.10	\$4.00	\$3.90	\$3.85	\$3.85	\$3.60	\$3.40	\$3.35	\$3.40	\$3.85	\$3.20	\$3.10	\$3.05	\$3.05		
Truck or wagon shipments.....	4.30	4.10	3.65	3.80	3.45	3.20	2.75	2.70								

MIXTURE CONSISTING OF NO LESS THAN 50% OF COAL FROM MINE INDEX NO. 7602 AND THE BALANCE FROM MINE INDEX NO. 7489

	1	2	3	4	5	6	7	8	9	10	15, 16, 17	18	19, 20, 21		
All methods of transportation (except truck or wagon) and for all uses.....	\$3.87	\$3.82	\$3.75	\$3.72	\$3.72	\$3.55	\$3.35	\$3.32	\$3.35	\$3.85	\$3.17	\$3.10	\$3.05		
Truck or wagon shipments.....	4.12	3.92	3.57	3.65	3.40	3.15	2.75	2.70							

(c) The prices established herein are f.o.b. the mine or preparation plant for truck or wagon shipments, f.o.b. the rail or river shipping point for rail or river shipments, and f.o.b. the rail shipping point for railroad fuel for all uses.

(d) All prayers of the applicant not granted herein are hereby denied.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) Except as specifically provided in this order, the provisions of Maximum Price Regulation No. 120 governing the sale of bituminous coals shall remain in effect.

(g) The price classifications and mine index numbers assigned herein are permanent but the maximum prices may be changed by order or amendment.

This order shall become effective November 15, 1945.

Issued this 14th day of November 1945.

CHESTER BOWLES,
Administrator.

[F.R. Doc. 45-20802; Filed, Nov. 14, 1945;
11:50 a. m.]

[MPR 188, Amdt. 1 to Order 4306]

SUPERIOR ELECTRIC PRODUCTS CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188, It is ordered, That Order No. 4306 issued under § 1499.-

158 of Maximum Price Regulation No. 188 be amended in the following respect:

Paragraph (4) (c) is amended to read as follows:

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing of the maximum price and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

This amendment shall become effective on the 15th day of November 1945.

Issued this 14th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20803; Filed, Nov. 14, 1945;
11:50 a. m.]

[MPR 188, Order 4680]

KNITTED PADDING CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; It is ordered:

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Knitted Padding Company, Canton, Mass.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by any seller to—			
		Jobbers	Chain and department stores	Other retailers	Consumers
Cotton knitted hot pad.....	6½ x 5¼	Dozen \$0.72	Dozen \$0.86	Dozen \$0.96	Each \$0.12

These maximum prices are for the articles described in the manufacturer's application dated October 8, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and subject to a cash discount of 2% for payment in 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, under the fourth pricing method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Retail Ceiling Price—\$0.12 Each
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 15th day of November, 1945.

Issued this 14th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20806; Filed, Nov. 14, 1945;
11:47 a. m.]

[MPR 188, Order 4678]

A & H ELECTRICAL EQUIPMENT & APPLIANCE CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register,

and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by the A & H Electrical Equipment & Appliance Company, 339 Rockaway Avenue, Brooklyn, N. Y.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Retailers (3 units or more)	Retailers (less than 3 units)	Consumers
Bowltype heater 6' cord plug.	Heat wave.	Each \$2.35	Each \$2.78	Each \$2.99	Each \$4.50

These maximum prices are for the articles described in the manufacturer's application dated September 30, 1945. These prices include the Federal Excise Tax.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are subject to a cash discount of 2% for payment within 10 days, net 30 days.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number, model number and retail price properly filled in:

Order No. 4678

Model No. -----

OPA Retail Ceiling Price—\$-----

Federal Excise Tax Included

Do Not Detach or Obliterate

OR

A & H Electrical Equipment & Appliance Company
339 Rockaway Avenue
Brooklyn, New York

OPA Retail Ceiling Price—\$-----

Federal Excise Tax Included

Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing of the maximum

prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 15th day of November 1945.

Issued this 14th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20804; Filed, Nov. 14, 1945;
11:50 a. m.]

[MPR 188, Order 4679]

ROLLER LAMP CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by Roller Lamp Company, 314 East 9th Street, Los Angeles, Calif.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	For sales by the manufacturer to—		For sales by any person to consumers
		Jobbers	Retailers	
18" carved figure decorated lucite table lamp without shade	101	\$17.56	\$20.66	Each \$37.20
18" threeliter lucite table lamp without shade	102	17.56	20.66	37.20
18" lucite and glass mirror table lamp without shade	103	10.20	12.00	21.60
Ornamental shaped lucite pin-up bracket without shade	104	4.39	5.17	9.30
12" lucite boudoir lamp with ceramic figure decoration	105	3.40	4.00	7.20

These maximum prices are for the articles described in the manufacturer's application dated August 29, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. For sales to persons other than consumers they are f. o. b. factory, 2% 10 days, net 30. The maximum price to consumers is net, delivered.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158, of Maximum Price Regulation 188, for the establishment

of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement, with the proper model number and the ceiling price inserted in the blank spaces:

Model Number -----
OPA Retail Ceiling Price—\$-----
Do Not Detach

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) Jobbers' maximum prices for sales of the articles covered by this order shall be established under the provisions of section 4.5 of SR 14J.

(e) This order may be revoked or amended by the Price Administrator at any time.

(f) This order shall become effective on the 15th day of November 1945.

Issued this 14th day of November, 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20805; Filed, Nov. 14, 1945;
11:49 a. m.]

[MPR 188, Order 4681]

WILSON SPECIALTIES INC.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.157 of Maximum Price Regulation No. 188 and section 6.4 of Second Revised Supplementary Regulation No. 14; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of the food choppers manufactured by the Wilson Specialties Incorporated, 737 Van Buren Street, Chicago 7, Illinois.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model No.	Maximum prices for sales by any Seller to—				
		Wholesalers (jobbers)	Dropsip (jobbers)	Chain, mail order and department stores	Other retailers	Consumers
Food chopper.	All purpose.	Each \$0.245	Each \$0.245	Each \$0.29	Each \$0.33	Each \$0.49

These maximum prices are for the articles described in the manufacturer's application dated August 10, 1945.

(2) For sales by the manufacturer, these maximum prices apply to all sales and deliveries after the effective date of this order. The manufacturer's prices are f. o. b. factory and subject to a cash discount of 2% for payment within 10 days, net 30 days. The prices for sales by persons other than manufacturer are subject to each seller's customary terms and conditions of sales of similar articles.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement:

OPA Ceiling Price—\$0.49 each
Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale at wholesale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 15th day of November 1945.

Issued this 14th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20807; Filed, Nov. 14, 1945;
11:47 a. m.]

[MPR 188, Order 4682]

E. F. PEOPLES

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by E. F. Peoples, 216 South Front Street, Memphis, Tenn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Article	Model	Maximum prices for sales by any seller to—			
		Wholesalers (jobbers)	Retailers (6 units or more)	Retailers (less than 6 units)	Consumers
Electric fan, 8".....	Nonoscillating.....	Each \$2.63	Each \$3.10	Each \$3.34	Each \$5.00
Electric fan, 10".....	do.....	6.47	7.65	8.24	12.35
Electric fan, 12".....	do.....	11.98	14.26	15.26	22.90

These maximum prices are for the articles described in the manufacturer's application dated August 10, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are

No. 225—6

f. o. b. factory and subject to a cash discount of 2% for payment in 10 days, net 30 days. These prices include the Federal Excise Tax.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the Office of Price Administration, Washington, D. C., under the Fourth Pricing Method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain either of the following statements with the correct order number, model number and retail prices properly filled in:

Order No. 4682

Model No.

Federal Excise Tax Included
Do Not Detach or Obliterate

or

E. F. Peoples

216 South Front Street
Memphis, Tennessee

Model No.

OPA Retail Ceiling Price—\$.....

Federal Excise Tax Included
Do Not Detach or Obliterate

Article	Model	Maximum prices for sales by any seller to—			
		Wholesale, mill, electric motor, restaurant, hotel, and store equipment suppliers	Commercial, industrial, or institutional users		Users other than industrial, commercial or institutions
			3 units or more	Less than 3 units	
Electric fan 16".....	Nonoscillating.....	Each \$14.50	Each \$17.02	Each \$18.33	Each \$27.50
Electric fan 20".....	Pedestal type.....	33.70	48.35	57.19	67.40
Electric fan 24".....	do.....	37.45	56.18	63.66	74.90

These maximum prices are for the articles described in the manufacturer's application dated August 10, 1945.

(2) For sales by the manufacturer, the maximum prices apply to all sales and deliveries since Maximum Price Regulation No. 188 became applicable to those sales and deliveries. These prices are f. o. b. factory and are net 30 days. To each of the above prices only the exact amount of the Federal Excise Tax which the particular seller is required to pay may be added.

(3) For sales by persons other than the manufacturer, the maximum prices apply to all sales and deliveries after the effective date of this order. Those prices are subject to each seller's customary terms and conditions of sale on sales of similar articles.

(4) If the manufacturer wishes to make sales and deliveries to any other class of purchaser or on other terms and conditions of sale, he must apply to the

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 15th of November 1945.

Issued this 14th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20808; Filed, Nov. 4, 1945;
11:46 a. m.]

[MPR 188, Order 4683]

E. F. PEOPLES

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to § 1499.158 of Maximum Price Regulation No. 188; *It is ordered:*

(a) This order establishes maximum prices for sales and deliveries of certain articles manufactured by E. F. Peoples, 216 South Front, Memphis, Tenn.

(1) For all sales and deliveries to the following classes of purchasers by the sellers indicated below, the maximum prices are those set forth below:

Office of Price Administration, under the fourth pricing method, § 1499.158 of Maximum Price Regulation No. 188, for the establishment of maximum prices for those sales, and no sales or deliveries may be made until maximum prices have been authorized by the Office of Price Administration.

(b) The manufacturer shall attach a tag or label to every article for which a maximum price for sales to consumers is established by this order. That tag or label shall contain the following statement with the correct model number and retail prices properly filled in:

Model Number.....

OPA retail ceiling price to users other than industrial, commercial or institutional \$.....

Do Not Detach or Obliterate

(c) At the time of, or prior to, the first invoice to each purchaser for resale, the

manufacturer shall notify the purchaser in writing of the maximum prices and conditions established by this order for sales by the purchaser. This notice may be given in any convenient form.

(d) This order may be revoked or amended by the Price Administrator at any time.

(e) This order shall become effective on the 15th of November 1945.

Issued this 14th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20809; Filed, Nov. 14, 1945;
11:47 a. m.]

[MPR 260, Amdt. 1 to Order 865]

L. GULLO CIGAR FACTORY

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation 260, *It is ordered*, That:

The maximum prices for the "L. Gullo-Londres" and "L. Gullo-Breva Especial" cigars set forth in paragraph (a) of Order No. 865 under Maximum Price Regulation No. 260, are revoked.

This amendment shall become effective November 15, 1945.

Issued this 14th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20810; Filed, Nov. 14, 1945;
11:49 a. m.]

[MPR 260, Revocation of Order 1085]

F. FERNANDEZ, JR. CIGAR FACTORY

ESTABLISHMENT OF MAXIMUM PRICES

For the reason set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation 260, *It is ordered*, That:

Order No. 1085 under Maximum Price Regulation No. 260, issued on June 6, 1945 to F. Fernandez Jr. Cigar Factory, 2206 N. Boulevard, Tampa 3, Florida, establishing maximum list and maximum retail prices for "El Boulevard-Corona" cigars, is revoked.

This order shall become effective on November 15, 1945.

Issued this 14th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20811; Filed, Nov. 14, 1945;
11:49 a. m.]

[MPR 260, Amdt. 1 to Order 1564]

L. GULLO CIGAR FACTORY

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this amendment and pursuant to § 1358.102 (b) of Maximum Price Regulation 260: *It is ordered*, That:

A footnote is added after "Special Breva" in paragraph (a) of Order No.

1564 under Maximum Price Regulation No. 260, to read as follows:

These prices shall apply to this brand and frontmark using only all Havana Type 81 with long filler.

This amendment shall become effective November 15, 1945.

Issued this 14th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20812; Filed, Nov. 14, 1945;
11:46 a. m.]

[MPR 260, Order 1965]

FRED J. ZIEGENFELDER

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260: *It is ordered*, That:

(a) Fred J. Ziegenfelder, 619 W. High Street, St. Marys, Ohio (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Royal Dot.....	Junior.....	50	Per M \$60	Cents 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March

1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 15, 1945.

Issued this 14th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20813; Filed, Nov. 14, 1945;
11:48 a. m.]

[MPR 260, Order 1966]

D. EMIL KLEIN Co., Inc.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260: *It is ordered*, That:

(a) D. Emil Klein Co., Inc., 444 E. 91st Street, New York, N. Y. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Something Special.	Magnolias.....	50	Per M \$75	Cents 10
Lawrence Barrett.	do.....	50	75	10
Nuvana.....	do.....	50	75	10
Duane.....	do.....	50	75	10
Something Special.	Lido.....	50	75	10
Lawrence Barrett.	do.....	50	75	10
Nuvana.....	do.....	50	75	10
Duane.....	do.....	50	75	10

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales

of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 15, 1945.

Issued this 14th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20814; Filed, Nov. 14, 1945;
11:48 a. m.]

[MPR 260, Order 1967]

WILLIAM KNISELY

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) William Knisely, 231 W. Main Street, (rear) Dallastown, Pa. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
White Circle.....	Invincible.....	50	Per M \$72	Cents 9

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 15, 1945.

Issued this 14th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20815; Filed, Nov. 14, 1945;
11:48 a. m.]

[MPR 260, Order 1968]

ROSETTA CIGAR CO.

APPROVAL OF MAXIMUM PRICES

For the reasons set forth in an opinion accompanying this order, and pursuant to § 1358.102 (b) of Maximum Price Regulation No. 260; *It is ordered*, That:

(a) Rosetta Cigar Company, 35 Woodville Street, Roxbury, (Boston) 19, Mass. (hereinafter called "manufacturer") and wholesalers and retailers may sell, offer to sell or deliver and any person may buy, offer to buy or receive each brand and size or frontmark, and packing of the following domestic cigars at the appropriate maximum list price and maximum retail price set forth below:

Brand	Size or frontmark	Packing	Maximum list price	Maximum retail price
Rosetta.....	8" Londres.....	50	Per M \$60	Cents 2 for 15

(b) The manufacturer and wholesalers shall grant, with respect to their sales of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the discounts they customarily granted in March 1942 on their sales of domestic cigars of the same price class to purchasers of the same class, unless a change therein results in a lower price. Packing differentials charged by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class to purchasers of the same class may be charged on corresponding sales of each brand and size or frontmark of cigars priced by this order, but shall not be increased. Packing differentials allowed by the manufacturer or a wholesaler in March 1942 on sales of domestic cigars of the same price class shall be allowed on corresponding sales of each brand and size or frontmark of cigars priced by this order and shall not be reduced. If a brand and size or frontmark of domestic cigars for which maximum prices are established by this order is of a price class not sold by the manufacturer or the particular wholesaler in March 1942, he shall, with respect to his sales thereof, grant the discounts and may charge and shall allow the packing differentials customarily granted, charged or allowed (as the case may be) in March 1942 by his most closely competitive seller of the same class on sales of domestic cigars of the same March 1942 price class to purchasers of the same class.

(c) On or before the first delivery to any purchaser of each brand and size or frontmark of domestic cigars for which maximum prices are established by this order, the manufacturer and every other seller (except a retailer) shall notify the purchaser of the maximum list price and the maximum retail price established by this order for such brand and size or frontmark of domestic cigars. The notice shall conform to and be given in the manner prescribed by § 1358.113 of Maximum Price Regulation No. 260.

(d) Unless the context otherwise requires, appropriate provisions of Maximum Price Regulation No. 260, shall apply to sales for which maximum prices are established by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective November 15, 1945.

Issued this 14th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20816; Filed, Nov. 14, 1945;
11:47 a. m.]

[MPR 394, Order 3]

LAKEWOOD, N. J.

DESIGNATION AS DEFICIENCY AREA WITH RESPECT TO KOSHER BEEF, VEAL, LAMB AND MUTTON CUTS AND ALL VARIETY MEATS AND EDIBLE BY-PRODUCTS

Pursuant to section 5 (b) (7) of Maximum Price Regulation No. 394, I find that (i) there exists in the Town of Lakewood, County of Ocean in the State of New Jersey, total quotas which are substantially below an amount representing current seasonal demands for kosher meats by purveyors of kosher meals located in such area, and (ii) such purveyors of kosher meals are supplied almost exclusively by kosher retail selling establishments or stores located in the same area, and (iii) the condition described in subdivision (i) above is caused by the fact that the kosher retail selling establishments or stores are limited in their sales to purveyors of kosher meals located in the same area to 20% of their total dollar volume of meats sold during any current month.

The Town of Lakewood, County of Ocean in the State of New Jersey is hereby designated as a deficiency area and the District Director of the Office of Price Administration for the Town of Lakewood, County of Ocean in the State of New Jersey is hereby authorized to permit any kosher retail selling establishment or store located in the area and customarily serving such area, which establishment or store is not a hotel supply house or which does not slaughter more than 20 cattle or calves per month, to sell kosher retail meat cuts at the prices specified in section 24 of Maximum Price Regulation No. 394, in whatever volume and subject to such terms and conditions as he may deem necessary: *Provided*, That in no event may such kosher retail selling establishment or store be authorized to sell kosher retail meat cuts to kosher eating places in excess of 70% of its total monthly dollar volume of meat sales.

This order may be revoked or amended at any time.

This order shall become effective November 15, 1945.

Issued this 14th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20817; Filed, Nov. 14, 1945;
11:49 a. m.]

NASH-KELVINATOR CORP.

ADJUSTMENT OF MAXIMUM PRICES

Order authorizing Nash-Kelvinator Corporation and certain resellers to ad-

just maximum prices after delivery of 1945 or 1946 model year passenger automobiles.

The passenger automobile manufacturers and the Office of Price Administration are now engaged in determining what the maximum prices will be on sales of new passenger automobiles. While this determination is being made, the Nash-Kelvinator Corporation wishes to distribute the new automobiles it is currently producing. These automobiles will be distributed to dealers for use as showroom cars. This distribution will be made in part through branches and distributors. The Nash-Kelvinator Corporation and its branches and distributors are, therefore, authorized in this order to sell these automobiles at the existing maximum prices under section 6 of Maximum Prices Regulation 594 to be adjusted upwards after deliveries are made by the amounts of the differences between those maximum prices and the respective maximum prices the Office of Price Administration may authorize the Nash-Kelvinator Corporation and its branches and distributors to charge for the same automobiles under section 7 or 8 of Maximum Price Regulation 594.

Therefore, in accordance with the Emergency Price Control Act of 1942, as amended; *It is ordered*:

(1) The Nash-Kelvinator Corporation, Detroit, Michigan, and its branches and distributors, are authorized to sell and deliver to Nash-Kelvinator branches, distributors and dealers 1945 or 1946 model year automobiles the Nash-Kelvinator Corporation manufactures at the maximum prices permitted under section 6 of Maximum Price Regulation 594 to be adjusted upwards after deliveries are made by the amounts of the differences between such maximum prices and the maximum prices the Office of Price Administration may authorize them to charge under section 7 or 8 of Maximum Price Regulation 594.

(2) This order applies only to sales made by the Nash-Kelvinator Corporation and its branches and distributors and does not apply to sales made by dealers.

(3) This order may be modified or revoked by the Price Administrator at any time.

This order shall be effective as of November 14, 1945.

Issued this 14th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20840; Filed, Nov. 14, 1945;
4:24 p. m.]

[SO 94, Order 86]

CERTAIN BATTERY CHARGERS

SPECIAL MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and in accordance with section 11 of Supplementary Order 94, it is ordered:

(a) *What this order does.* This order establishes maximum prices at which new battery chargers hereinafter described may be sold and delivered by the

Reconstruction Finance Corporation or by any other Government agency, and by any subsequent reseller.

(b) Maximum prices per new battery charger described herein shall be:

Description of chargers. New battery charger, capacity 18-2 volt cells at 6 amperes, complete with bulb and 115 volt 60 cycle single phase motor and rubber mat 23" x 13", manufactured by Baldor Manufacturing Co., Greenville, Ill. (Model No. F-6-T) and Heyer Products, Inc., Belleville, N. J. (Model No. HP-6HW).

	Each
Price for all sales to wholesalers f. o. b. shipping point.....	\$12.95
Price for all sales to retailers and industrial users f. o. b. shipping point.....	16.00
Price for all sales at retail.....	21.50

(c) *Discounts.* Every seller shall continue to maintain his customary discounts for cash.

(d) *Notification.* Any person who sells the battery chargers described in paragraph (b) to a retailer shall furnish the retailer with an invoice of sale setting forth the retailer's maximum price, and stating that the retailer is required by this order to attach to each battery charger before sale a tag or label which plainly states a selling price not in excess of \$21.50.

(e) *Tagging.* Any person who sells the battery chargers described in paragraph (b) at retail shall attach to each battery charger before sale a tag or label which plainly states a selling price not in excess of \$21.50 as follows:

OPA Price—\$-----

(f) *Relation to other regulations and orders.* This order with respect to the commodities it covers supersedes any other regulation or order previously issued by the Office of Price Administration.

(g) *Definitions.* (1) "Retailer" means any person who sells to a user or ultimate consumer, except industrial users.

(2) "Wholesaler" means any person who sells to purchasers for resale and to industrial users.

(h) *Revocation and amendment.* This order may be revoked or amended at any time.

This order shall become effective November 15, 1945.

Issued this 14th day of November 1945.

CHESTER BOWLES,
Administrator.

[F. R. Doc. 45-20842; Filed, Nov. 14, 1945;
4:24 p. m.]

Regional and District Office Orders.

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register November 5, 1945.

REGION I

Connecticut Order 2-P, covering fresh fish and seafood items in Connecticut. Filed 10:20 a. m.

Connecticut Order 3-P, covering fresh fish and seafood items in Connecticut. Filed 10:21 a. m.

REGION II

Newark Order 7-F, Amendment 29, covering fresh fruits and vegetables in counties of Essex, Bergen, Hudson, Passaic, Sussex, Morris and Union; and the Borough of North Plainfield in Somerset County, N. J. Filed 10:12 a. m.

New York Order 10-F, Amendment 38, covering fresh fruits and vegetables in Nassau and Westchester counties, New York. Filed 10:22 a. m.

New York Order 13-F, Amendment 10, covering fresh fruits and vegetables in certain counties in New York. Filed 10:22 a. m.

Philadelphia Order P-2, Amendment 6, covering fresh fish and seafood in the City and County of Philadelphia. Filed 10:22 a. m.

Syracuse Order 3-F, Amendment 52, covering fresh fruits and vegetables in the Cities of Syracuse, Watertown, Utica, and their Free Delivery zones in New York. Filed 10:16 a. m.

New York Order 13-O, covering eggs. Filed 10:19 a. m.

New York Order 14-O, covering eggs. Filed 10:20 a. m.

Wilmington Order 21, Amendment 1, covering dry groceries in that part of the State of Delaware lying north of the Chesapeake and Delaware Canal. Filed 10:12 a. m.

New York Order 9-F, Amendment 38, covering fresh fruits and vegetables in the five Boroughs of New York City. Filed 10:21 a. m.

REGION III

Columbus Order 15, Amendment 16, covering dry groceries in certain counties in Ohio. Filed 10:08 a. m.

Columbus Order 16, Amendment 16, covering dry groceries in certain counties in Ohio. Filed 10:08 a. m.

Columbus Order 5-W, Amendment 3, covering dry groceries in certain counties in Ohio. Filed 10:08 a. m.

Detroit Order 5-F, Amendment 39, covering fresh fruits and vegetables in counties of Wayne and Macomb. Filed 10:09 a. m.

Grand Rapids Order 1-O (Appendix A), Amendment 3, covering eggs in counties of Berrien, Cass and Van Buren, Michigan. Filed 10:00 a. m.

Grand Rapids Order 1-O (Appendix A), Amendment 4, covering eggs in counties of Berrien, Cass and Van Buren, Michigan. Filed 10:09 a. m.

Grand Rapids Order 1-O (Appendix B), Amendment 3, covering eggs in certain counties in Michigan. Filed 10:09 a. m.

Grand Rapids Order 1-O (Appendix B), Amendment 4, covering eggs in certain counties in Michigan. Filed 10:09 a. m.

Grand Rapids Order 1-O (Appendix C), Amendment 3, covering eggs in certain counties in Michigan. Filed 10:10 a. m.

Grand Rapids Order 1-O (Appendix C), Amendment 4, covering eggs in certain counties in Michigan. Filed 10:10 a. m.

Indianapolis Order 14-F, Amendment 40, covering fresh fruits and vegetables in counties of Marion, Vigo and Tippecanoe. Filed 10:10 a. m.

Indianapolis Order 15-F, Amendment 40, covering fresh fruits and vegetables in counties of Wayne, Delaware and Allen. Filed 10:10 a. m.

Indianapolis Order 16-F, Amendment 40, covering fresh fruits and vegetables in the county of St. Joseph. Filed 10:10 a. m.

Indianapolis Order 17-F, Amendment 40, covering fresh fruits and vegetables in the county of Vanderburgh. Filed 10:11 a. m.

Lexington Order 5-F, Amendment 30, covering fresh fruits and vegetables in Fayette county, Kentucky. Filed 10:07 a. m.

Lexington Order 6-F, Amendment 30, covering fresh fruits and vegetables in Campbell and Kenton counties, Kentucky. Filed 10:07 a. m.

Lexington Order 7-F, Amendment 30, covering fresh fruits and vegetables in Boyd county, Kentucky. Filed 10:07 a. m.

REGION IV

Columbia Order 8-F, Amendment 1, covering fresh fruits and vegetables in the State of South Carolina. Filed 10:14 a. m.

Columbia Order 19-C, Amendment 4, covering poultry in the South Carolina area. Filed 10:13 a. m.

Columbia Order 20-C, Amendment 4, covering poultry in the South Carolina area. Filed 10:13 a. m.

Columbia Order 21-C, Amendment 4, covering poultry in the South Carolina area. Filed 10:13 a. m.

Columbia Order 22-C, Amendment 4, covering poultry in the South Carolina area. Filed 10:13 a. m.

Columbia Order 19-O, Amendment 10, covering egg prices in the South Carolina area. Filed 10:14 a. m.

Columbia Order 20-O, Amendment 10, covering egg prices in the South Carolina area. Filed 10:14 a. m.

Columbia Order 21-O, Amendment 10, covering egg prices in the South Carolina area. Filed 10:14 a. m.

Columbia Order 22-O, Amendment 10, covering egg prices in the South Carolina area. Filed 10:14 a. m.

Jackson Order 6-F, Amendment 1, covering fresh fruits and vegetables in certain counties in Mississippi. Filed 10:13 a. m.

Jackson Order 7-F, Amendment 2, covering fresh fruits and vegetables in certain counties in Mississippi. Filed 10:29 a. m.

Jackson Order 7-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Mississippi. Filed 10:25 a. m.

Miami Order 5-F, Amendment 1, covering fresh fruits and vegetables in certain cities and towns in Florida. Filed 10:30 a. m.

Miami Order 5-F, Amendment 3, covering fresh fruits and vegetables in certain cities and towns in Florida. Filed 10:31 a. m.

Miami Order 5-F, Amendment 4, covering fresh fruits and vegetables in certain cities and towns in Florida. Filed 10:31 a. m.

Miami Order 6-F, Amendment 2, covering fresh fruits and vegetables in the Tampa, Florida area. Filed 10:32 a. m.

Miami Order 8-F, Amendment 2, covering fresh fruits and vegetables in Monroe county, Florida. Filed 10:32 a. m.

Savannah Order 15-F, Amendment 2, covering fresh fruits and vegetables in certain counties in Georgia. Filed 10:22 a. m.

Savannah Order 7-W, covering dry groceries in certain counties in Georgia. Filed 10:16 a. m.

REGION V

Fort Worth Order 19, Amendment 1, covering dry groceries in certain counties in Texas. Filed 10:15 a. m.

Fort Worth Order 3-W, Amendment 1, covering dry groceries in certain counties in Texas. Filed 10:15 a. m.

Kansas City Order 1-M, covering certain Bottled and Canned Domestic Malt Beverages in Johnson and Wyandotte counties, Kansas and the city of North Kansas City and Jackson county, Missouri. Filed 10:23 a. m.

REGION VI

Fargo Order 38, Amendment 1, covering dry groceries in certain counties in Minnesota. Filed 10:32 a. m.

Fargo Order 5-W, Amendment 1, covering dry groceries in the cities of Bismarck, Mandan, and Minot, North Dakota. Filed 10:32 a. m.

Fargo Order 6-W, Amendment 1, covering dry groceries in the cities of Fargo and Grand Forks, in North Dakota, and Moorhead, Minnesota. Filed 10:32 a. m.

Green Bay Order 7-F, Amendment 5, covering fresh fruits and vegetables in the counties

of Brown, Calumet, Door (except the town of Washington), Kewaunee, Manitowoc, Oconto, Outagamie, Waupaca, Waushara and Winnebago. Filed 10:32 a. m.

Green Bay Order 8-F, Amendment 5, covering fresh fruits and vegetables in the counties of Langlade, Lincoln, Marathon, Oneida, Portage, Price, Shawano, Taylor, Vilas and Wood, and the City of Colby and the villages of Abbotsford and Unity in Clark county. Filed 10:33 a. m.

Green Bay Order 9-F, Amendment 5, covering fresh fruits and vegetables in the counties of Florence, Forest and Marinette, Wisconsin. Filed 10:33 a. m.

Milwaukee Order 8-F, Amendment 32, covering fresh fruits and vegetables in Dane county, Wisconsin. Filed 10:33 a. m.

Milwaukee Order 11-F, Amendment 24, covering fresh fruits and vegetables in Milwaukee county, the City of Racine, City of Kenosha in Wisconsin. Filed 10:34 a. m.

Milwaukee Order 12-F, Amendment 5, covering fresh fruits and vegetables in the cities of La Crosse and Sparta, Wisconsin. Filed 10:34 a. m.

Omaha Order 10-F, Amendment 33, covering fresh fruits and vegetables in the cities of Omaha, Nebraska and Council Bluffs, Iowa. Filed 10:34 a. m.

Omaha Order 11-F, Amendment 34, covering fresh fruits and vegetables in the city of Lincoln, Nebraska. Filed 10:34 a. m.

Omaha Order 13-F, Amendment 5, covering fresh fruits and vegetables in certain cities of Nebraska. Filed 10:33 a. m.

Omaha Order 26, Amendment 1, covering dry groceries in Douglas and Sarpy counties in Nebraska and the City of Council Bluffs, in Iowa. Filed 10:15 a. m.

Omaha Order 27, Amendment 1, covering dry groceries in Lancaster county in Nebraska. Filed 10:15 a. m.

Omaha Order 8-W, Amendment 1, covering dry groceries in Lancaster county in Nebraska. Filed 10:16 a. m.

Peoria Order 12-F, Amendment 1, amending area covered. Filed 10:30 a. m.

Peoria Order 13-F, covering fresh fruits and vegetables in the urban area. Filed 10:30 a. m.

Peoria Order 14-F, covering fresh fruits and vegetables in the urban area. Filed 10:30 a. m.

Peoria Order 15-F, covering fresh fruits and vegetables in the urban area. Filed 10:30 a. m.

REGION VII

Albuquerque Order 8-F, Amendment 39, covering fresh fruits and vegetables in the Albuquerque area including the City of Albuquerque. Filed 10:27 a. m.

Helena Order 1-C, Amendment 1, covering eggs in certain counties in Montana. Filed 10:23 a. m.

Helena Order 99, Amendment 2, covering dry groceries in certain areas in Montana. Filed 10:24 a. m.

Helena Order 101, Amendment 1, covering dry groceries in areas in Montana. Filed 10:24 a. m.

Helena Order 103, Amendment 3, covering dry groceries in certain areas in Montana except all other towns in said counties not serviced by a Railroad. Filed 10:17 a. m.

Helena Order 107, Amendment 2, covering dry groceries in certain areas in Montana. Filed 10:19 a. m.

Helena Order 108, Amendment 1, covering dry groceries in the State of Montana. Filed 10:19 a. m.

Helena Order 10-W, and 98, Amendment 2, covering dry groceries in Billings, Butte, and Great Falls. Filed 10:23 a. m.

Helena Order 100, and 11-W, Amendment 1, covering dry groceries in the Havre, Chinook and Glasgow areas. Filed 10:24 a. m.

Helena Order 105, Amendment 2, covering dry groceries in certain areas in Montana. Filed 10:17 a. m.

Helena Order 102 and 12-W, Amendment 2, covering dry groceries for the Glendive, Miles City, Lewistown and Sidney areas. Filed 10:17 a. m.

Helena Order 104 and 13-W, Amendment 2, covering dry groceries for the Cities of Kalispell and Missoula. Filed 10:17 a. m.

Helena Order 106 and 14-W, Amendment 2, covering dry groceries for the Bozeman, Helena and East Helena and Livingston areas. Filed 10:18 a. m.

Salt Lake City Order 11-F, Amendment 20, covering fresh fruits and vegetables in Salt Lake, Davis, Weber, Morgan, Utah and Summit county area, Brigham, Willard and Perry in Box Elder county. Filed 10:25 a. m.

Salt Lake City Order 12-F, Amendment 20, covering fresh fruits and vegetables in Cache, Carbon, Emery, Piute, Beaver, Sevier, Sanpete, Iron, Millard, Juab, Box Elder, Wasatch, Washington, Kane and Garfield county, area, Box Elder, except Brigham, Willard and Perry. Filed 10:25 a. m.

Salt Lake City Order 13-F, Amendment 20, covering fresh fruits and vegetables in Rich, Daggett, Duchesne, Uintah, Grand, Wayne and San Juan county area. Filed 10:26 a. m.

REGION VIII

Los Angeles Order 1-D, covering butter and cheese in the Los Angeles District. Filed 10:28 a. m.

Los Angeles Order 3-F, Amendment 19, covering fresh fruits and vegetables in the Los Angeles Metropolitan area. Filed 10:27 a. m.

Los Angeles Order 4-F, Amendment 19, covering fresh fruits and vegetables in Long Beach-San Bernardino area. Filed 10:28 a. m.

Los Angeles Order 5-F, Amendment 19, covering fresh fruits and vegetables in Santa Barbara-Ventura and San Luis Obispo areas. Filed 10:28 a. m.

Los Angeles Order 6-F, Amendment 19, covering fresh fruits and vegetables in Santa Barbara-Ventura and San Luis Obispo areas. Filed 10:28 a. m.

Nevada Order 11-F, Amendment 8, covering fresh fruits and vegetables in the Reno and Sparks area. Filed 10:29 a. m.

Nevada Order 12-F, Amendment 8, covering fresh fruits and vegetables in certain cities in Nevada. Filed 10:29 a. m.

Nevada Order 13-F, Amendment 8, covering fresh fruits and vegetables in certain cities in Nevada. Filed 10:29 a. m.

Nevada Order 14-F, Amendment 8, covering fresh fruits and vegetables in Baker, East Ely, Ely Kimberly, Lund, McGill Preston, Relptown and Ruth. Filed 10:29 a. m.

Nevada Order 15-F, Amendment 8, covering fresh fruits and vegetables in Blue Diamond, Henderson, Las Vegas, Logandale, North Las Vegas, Pittman, Sloan, and Whitney. Filed 10:29 a. m.

Nevada Order 36, Amendment 2, covering dry groceries in the Reno and Sparks area. Filed 10:29 a. m.

Portland Order 32-F, Amendment 2, covering fresh fruits and vegetables in the cities of Medford and Klamath Falls, Oregon and any stores located on Highways leading out of Klamath Falls as far South as, and including Weyerhaeuser, as far East as, including the Lakeview Junction, and as far North as, and including the Pelican Bay Lumber company. Filed 10:26 a. m.

Portland Order 33-F, Amendment 2, covering fresh fruits and vegetables in the Roseburg, Grants Pass, Ashland, Lakeview area. Filed 10:26 a. m.

Portland Order 34-F, Amendment 2, covering fresh fruits and vegetables in the Astoria, Coos Bay, Oregon area. Filed 10:26 a. m.

Portland Order 35-F, Amendment 2, covering fresh fruits and vegetables in the Florence, Reedsport, Coquille, Oregon, Area. Filed 10:26 a. m.

Portland Order 36-F, Amendment 2, covering fresh fruits and vegetables in the cities

of Bend and Pendleton, Oregon. Filed 10:26 a. m.

Portland Order 37-F, Amendment 2, covering fresh fruits and vegetables in the Baker, La Grande, Redmond, Heppner, Oregon Area. Filed 10:26 a. m.

Portland Order 38-F, Amendment 2, covering fresh fruits and vegetables in the Haines, Wallowa, Enterprise, Oregon, Area. Filed 10:27 a. m.

Portland Order 39-F, Amendment 2, covering fresh fruits and vegetables in the Albany, Corvallis, Eugene, Oregon, Area. Filed 10:27 a. m.

Portland Order 41-F, Amendment 2, covering fresh fruits and vegetables in the Kelso, Salem, Hood River, Clatskanie, Forest Grove, Oregon, Area. Filed 10:27 a. m.

Portland Order 42-F, Amendment 2, covering fresh fruits and vegetables in the cities of Vancouver, Washington, and Portland, Vanport, Oak Grove, Milwaukie and Oregon City, Oregon and the communities of West Slope and Sylvan in Oregon. Filed 10:27 a. m.

San Francisco Order 17-F, Covering fresh fruits and vegetables in the City of Fresno. Filed 10:11 a. m.

San Francisco Order 18-F, Covering fresh fruits and vegetables in the City of Modesto. Filed 10:11 a. m.

San Francisco Order 19-F, Covering fresh fruits and vegetables in certain cities and towns in California. Filed 10:11 a. m.

San Francisco Order 20-F, Covering fresh fruits and vegetables within the counties of Stanislaus and Merced. Filed 10:12 a. m.

San Francisco Order 21-F, Covering fresh fruits and vegetables in the City of Merced. Filed 10:12 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-20828; Filed, Nov. 14, 1945; 1:46 p. m.]

[Region V Order G-3 Under RMPR 122, Amdt. 7]

SOLID FUELS IN TOPEKA, KANS., AREA

Pursuant to the Emergency Price Control Act of 1942, as amended, and the authority vested in the Regional Administrator of Region V, by § 1394.260 of Revised Maximum Price Regulation No. 122, and for the reasons set forth in the Opinion issued simultaneously herewith, it is ordered:

That Order No. G-3 under Revised Maximum Price Regulation No. 122 be, and the same is hereby, amended as follows:

1. Section (c) Price Schedule (1), is amended to read as follows:

(c) Price schedule. (1) Below and a part of this section is the maximum price schedule which sets forth maximum prices for sales by direct delivery of specified sizes, kinds and quantities of solid fuels.

Description of fuel	Maximum price per ton—	
	Strip mines	Underground mines machine cut
II. Low volatile coal from district 14 (Arkansas and Oklahoma):		
(A) Production group 1: "Arkansas anthracite" from mines in Pope County and the Spadra Field of Johnson County, Ark.:		
(1) Grate; furnace; egg (bottom size $2\frac{1}{4}$ " or larger)		\$13.55
(2) Nut (top size $2\frac{1}{4}$ " to larger than $1\frac{1}{2}$ "; bottom size larger than $\frac{3}{4}$ " but not larger than $1\frac{1}{2}$ ")		15.00
(B) Production groups 2 and 3: From mines in the Paris Basin and the Altus Field of Franklin, Johnson and Logan Counties, Arkansas except the sizes produced at the A & M, Jewel, New Union and Watson No. 4 mines, index Nos. 40, 55, 77, and 117, respectively, set forth in item 5 below:		
(1) Lump; grate; furnace; egg (bottom size $2\frac{1}{4}$ " or larger)		13.60
(2) Small egg (top size 4 " to larger than 3 "; bottom size not exceeding 2 ")		12.65
(3) Nut (top size $2\frac{1}{4}$ " to larger than $1\frac{1}{2}$ "; bottom size $1\frac{1}{4}$ " to larger than $\frac{3}{4}$ ")		11.80
(4) Stoker—pea, (top size not larger than $1\frac{1}{4}$ "; bottom size $\frac{3}{8}$ " and smaller)		9.20
Produced at the A & M, Jewel, New Union and Watson No. 4 mines, Index Nos. 40, 55, 77 and 117 respectively:		
(5) Lump; grate; furnace; egg (bottom size $2\frac{1}{4}$ " or larger)		13.95
(C) Production group 5: From mines in Sebastian County, Arkansas:		
(1) Lump; grate; furnace; egg (bottom size $2\frac{1}{4}$ " or larger)	\$11.55	12.85
(D) Production group 6: From mines in the Panama Field of LeFlore County, Oklahoma:		
(1) Lump; grate; furnace; egg (bottom size $2\frac{1}{4}$ " and larger)		12.45
(E) Production group 7: From mines in the Bokoshe-Milton Fields of LeFlore County and McCurtain Field of Haskell County, Okla.:		
Lower Hartshorne seam coal—classification 7A:		
(1) Lump; grate; furnace; egg (bottom size $2\frac{1}{4}$ " and larger)		12.75
Upper, or upper and lower Hartshorne Seam coal mixed—Classification 7AA:		
(2) Lump; grate; furnace; egg (bottom size $2\frac{1}{4}$ " and larger)		12.45

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 151, 78th Cong.; E.O. 9250; 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Dallas, Texas, and effective this 5th day of November 1945.

W. A. ORTH,
Regional Administrator.

[F. R. Doc. 45-20829 Filed, Nov. 14, 1945; 1:46 p. m.]

[Little Rock Order G-2 Under Supp. Service Reg. 43 to RMPR 165]

COTTON PICKING SERVICES IN CERTAIN ARKANSAS COUNTIES

For the reasons set forth in the opinion issued simultaneously herewith and

pursuant to the authority vested in the Little Rock District Office of the Office of Price Administration under Delegation of Authority Order No. 75, issued under Supplementary Service Regulation No. 43 to Revised Maximum Price Regulation No. 165; it is ordered:

(a) What this order does. This order establishes maximum prices for agricultural services rendered in connection with the picking, pulling, or snapping of cotton when supplied by independent service contractors in the counties of: Arkansas, Ashley, Chicot, Clay, Craighead, Crittenden, Cross, Desha, Drew, Greene, Jefferson, Lee, Lincoln, Lonoke, Mississippi, Monroe, Phillips, Poinsett, Prairie, Pulaski, and St. Francis, Arkan-

sas. The above area to be covered in this order is identical with that covered by the order of the United States Department of Agriculture. This order also defines "independent service contractor".

(b) *Maximum prices.* The maximum prices which an independent service contractor may charge in the area defined in (a) for agricultural services rendered in connection with the picking of well-picked, clean seed cotton, and the pulling or snapping of cotton are established as follows:

(1) Independent service contractors may add to the amount per 100 pounds paid to cotton pickers the following amounts, provided pickers' wages do not exceed the wage ceilings established by the United States Department of Agriculture (\$2.05 per 100 pounds for picking, and \$1.15 per 100 pounds for pulling or snapping), or wage ceilings hereafter adjusted by the U. S. Department of Agriculture:

(i) For recruiting of cotton pickers, 20¢ per 100 pounds of seed cotton picked, pulled, or snapped.

(ii) For hauling cotton pickers daily to and from the field when the haul is 15 miles or less from the city limits to the cotton field, 15¢ per 100 pounds of seed cotton picked, pulled, or snapped.

(iii) For hauling cotton pickers to and from the field in excess of the 15 miles provided in (ii), 1¢ per mile per 100 pounds of seed cotton picked, pulled, or snapped.

(iv) For weighing cotton in the field and keeping records of pickers' field weights, 3¢ per 100 pounds of seed cotton picked, pulled, or snapped.

(v) For hauling seed cotton to the gin, 7¢ per 100 pounds of seed cotton picked, pulled, or snapped.

(vi) The maximum charge for the agricultural services set forth in paragraph (1) of this section shall not exceed 50¢ per 100 pounds of seed cotton picked, pulled, or snapped, regardless of the miles travelled or the services supplied.

Independent service contractor's maximum price would therefore be the sum of the amount per 100 pounds paid to pickers, not to exceed wage ceilings—plus the permitted additions shown above, or 50¢ per 100 pounds of seed cotton picked, pulled, or snapped, whichever is the lesser.

(2) Maximum prices herein established shall include the following agricultural services to be rendered growers and pickers by such independent service contractors at the contractor's own expense:

(i) Securing cotton pickers;

(ii) Hauling cotton pickers to the field;

(iii) Supervising the picking of the cotton;

(iv) Supplying drinking water to the pickers in the field;

(v) Weighing the cotton in the field and keeping records of the field weights by each picker;

(vi) Hauling the cotton to the gin; and,

(vii) Full payment of all wages under the contract.

(3) *Extra services.* No extra charge may be made by an independent service contractor for the performance of services other than those listed in paragraph (2) above.

(c) *Prohibited practices.* All practices which are designed to obtain prices higher than the maximum prices established under this order are prohibited, including, but not limited to, the giving or offering of a bonus to an independent service contractor, a cotton producer, gin operator, or other person, and the demanding or receiving of a bonus from a cotton producer, gin operator, or other person, by an independent service contractor.

(d) *Record keeping.* Independent service contractors who supply services subject to this order are required to keep the following records and make them available for inspection upon request from authorized officials of the Office of Price Administration, or officials of the United States Department of Agriculture:

(1) Name and address of producers to whom services subject to this order are supplied.

(2) Number of pounds of cotton picked for each producer.

(3) The amount per 100 pounds paid to pickers by independent service contractors and the field weights on which such payments were made.

(4) The amount of payment received from producers for services supplied pursuant to this order.

(e) *Definitions and terms used in this order.* "Independent service contractor" as used in this order, is any person who holds himself out for hire to render one or more of the services listed in paragraph (b) (2) of this order to cotton growers and/or cotton pickers.

This order may be revoked, revised, or modified at any time by the Office of Price Administration.

Order No. G-1, as amended, under Supplementary Service Regulation 43, under Revised Maximum Price Regulation No. 165, issued on October 12, 1945 by the Little Rock District Office, is hereby superseded by this Order No. G-2.

This order shall remain in effect for a period of ninety (90) days from the issuance hereof. However, this order may be continued in effect by amendment issued either prior to or after the expiration of the ninety-day period.

(56 Stat. 23, 765; 57 Stat. 566; Pub. Law 383, 78th Cong.; E.O. 9250, 7 F.R. 7871; E.O. 9328, 8 F.R. 4681)

Issued at Little Rock, Arkansas, and effective this 29th day of October 1945.

ROBERT P. HALL,
District Director.

[F. R. Doc. 45-20833; Filed, Nov. 14, 1945; 1:47 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 72]

SOLID FUELS IN DULUTH, MINN.

An opinion accompanying this amendment has been issued simultaneously

herewith, Order No. G-16 under Revised Price Regulation No. 122 is amended in the following respects:

In Appendix No. III, covering the Duluth, Minnesota, area, paragraph (b), subparagraphs I and VI are amended to read as follows:

PRICE SCHEDULE

1 Description	Delivered		At yard		Dealer at yard	
	2 Domestic, per ton	3 Commercial, per ton	4 Domestic, per ton	5 Commercial, per ton	6 Domestic, per ton	7 Commercial, per ton
I. Bituminous coal from district No. 2 (Pa.):						
1. Lump.....	\$11.05	\$9.00	\$10.15	\$9.20	\$8.20	\$8.10
2. Egg.....	10.85	9.40	9.95	9.00	8.00	7.90
3. Stove.....	10.70	9.25	9.80	8.85	7.85	7.75
4. Stoker.....	9.30	8.30	8.40	7.90	7.20	7.10
5. Screenings.....	9.00	8.00	8.10	7.60	6.90	6.80
VI. Coke—byproduct:						
1. Egg, stove, nut.....	13.85		12.95		10.85	
2. Pea.....	12.85		11.95		9.85	

This Amendment No. 72 to Order No. G-16 shall become effective immediately.

Issued this 7th day of November 1945.

R. E. WALTERS,
Regional Administrator.

[F. R. Doc. 45-20832; Filed, Nov. 14, 1945; 1:47 p. m.]

[Region VI Order G-16 Under RMPR 122, Amdt. 75]

SOLID FUELS IN CHIPPEWA FALLS AND EAU CLAIRE, WIS., AREA

An opinion accompanying this Amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

1. In Appendix No. 17, which covers the Chippewa Falls and Eau Claire, Wisconsin, area, paragraph (b), Price Schedule, sub-paragraphs IV and VI are amended as follows:

	Delivered (per ton)
IV. High volatile bituminous coal from district No. 10 (Illinois):	
A. Southern Subdistrict price group Nos. 1, 2, and 8, deep machine mines:	
1. Egg—size group No. 3 (all egg coal—bottom size larger than 2" but not exceeding 3", washed or raw).....	\$9.55
2. Stove—size group No. 8 (all stove coal—bottom size larger than 3/8" and top size larger than 1 1/2" but not exceeding 2", washed or raw).....	9.50
3. Washed and dedusted screenings—size group Nos. 23, 24, 26, and 27 (washed, air cleaned or dry dedusted screenings, top size not exceeding 2").....	8.50

VI. Byproduct coke:

1. Solvay processed..... \$15.50
 2. Local gas coke:
 a. In Chippewa Falls..... 14.75
 b. In Eau Claire and Altoona..... 14.50

This Amendment No. 75 to Order No. G-16 shall be effective immediately.

Issued this 5th day of November 1945.

R. E. WALTERS,
 Regional Administrator.

[F. R. Doc. 45-20830; Filed, Nov. 14, 1945;
 1:46 p. m.]

Delivered
 (per ton)

[Region VI Order G-16 Under RMPR 122,
 Amdt. 73]

SOLID FUELS IN OMAHA, NEBR., AREA

An opinion accompanying this Amendment has been issued simultaneously herewith. Order No. G-16 under Revised Maximum Price Regulation No. 122 is amended in the following respects:

In Appendix No. 9, which covers the Omaha, Nebraska, area, paragraph (b), Price Schedule, sub-paragraphs IV, B, and IV, C, 1 and 2, are amended to read as follows:

PRICE SCHEDULE

	Domestic			Commercial, delivered, per ton
	Delivered, per ton	Delivered, per ½ ton	At yard, per ton	
IV.				
B. Production group No. 3A (includes all mines in the "Paris field" of Logan County, Ark., and mines in Franklin County located in Paris Basin) underground mines machine cut:				
1. Size group Nos. 4, 6, 7, and 8:				
a. Mine index Nos. 76, 110, and 132 only.....	\$15.30	\$8.15	\$14.30	
b. Mine index Nos. 52 and 53 only.....	15.55	8.28	14.55	
c. Mine index Nos. 55 and 116 only.....	15.75	8.38	14.75	
d. Mine index Nos. 40, 77, and 117 only.....	16.00	8.50	15.00	
2. Size group No. 5:				
a. Mine index Nos. 76, 110, and 132 only.....	15.15	8.08	14.15	
b. Mine index Nos. 52 and 53 only.....	15.40	8.20	14.40	
c. Mine index Nos. 55 and 116.....	15.60	8.30	14.60	
d. Mine index Nos. 40, 77 and 117 only.....	15.85	8.43	14.85	
3. Size group No. 17:				
a. Mine index Nos. 40, 52, 53, 76, 110, 116, and 132 only.....	10.30	5.65	9.30	9.80
b. Mine index No. 77 only.....	10.40	5.70	9.40	9.90
c. Mine index No. 117 only.....	10.55	5.78	9.55	10.05
d. Mine index No. 55 only.....	10.75	5.88	9.75	10.25
C. Production group Nos. 5, 5A, and 5B (includes all mines in Sebastian County, Ark.):				
1. Production group No. 5A (underground mines machine cut):				
a. Size group Nos. 4, 6, 7, and 8:				
1. Mine index Nos. 2, 34, 89, 106, 580, 608, and 627 only.....	14.95	7.98	13.95	
2. Mine index No. 13 only.....	15.10	8.05	14.10	
3. Mine index No. 144 only.....	15.25	8.18	14.35	
4. Mine index No. 121 only.....	15.45	8.23	14.45	
b. Size group No. 6:				
1. Mine index Nos. 2, 34, 89, 106, 580, 608, and 627 only.....	14.80	7.90	13.80	
2. Mine index No. 13 only.....	14.95	7.98	13.95	
3. Mine index No. 144 only.....	15.20	8.10	14.20	
4. Mine index No. 121 only.....	15.30	8.15	14.30	
c. Size group No. 14 only:				
1. Mine index Nos. 2, 13, 34, 89, 106, 580, 608 and 627 only.....	9.35	5.18	8.35	8.60
2. Mine index No. 144 only.....	9.55	5.28	8.55	8.80
3. Mine index No. 121 only.....	10.35	5.68	9.35	9.60

In paragraph IV, C sub-subparagraphs 3, 4, and 5 are redesignated 2, 3, and 4.

In Appendix No. 9, subparagraph (b), IV, A, 2, is amended by deleting "Mine Index No. 1032."

This Amendment No. 73 to Order No. G-16 shall become effective immediately.

Issued this 1st day of November 1945.

R. E. WALTERS,
 Regional Administrator.

[F. R. Doc. 45-20831; Filed, Nov. 14, 1945;
 1:47 p. m.]

LIST OF COMMUNITY CEILING PRICE ORDERS

The following orders under Revised General Order 51 were filed with the Division of the Federal Register November 2, 1945.

REGION I

Augusta Order 5-C, covering poultry in certain counties in Maine. Filed 9:59 a. m.
 Augusta Order 4-F, Amendment 2, covering fresh fruits and vegetables. Filed 9:59 a. m.

Concord Order 9-F, Amendment 26, covering fresh fruits and vegetables in Manchester, Nashua, Concord, Rochester, Somersworth, Dover, Portsmouth. Filed 10:00 a. m.

Concord Order 10-F, Amendment 8, covering fresh fruits and vegetables in certain counties in New Hampshire. Filed 10:00 a. m.

Concord Order 11-F, Amendment 8, covering fresh fruits and vegetables in certain counties in New Hampshire. Filed 10:00 a. m.

Concord Order 12-F, Amendment 8, covering fresh fruits and vegetables in certain counties in New Hampshire. Filed 10:01 a. m.

Hartford Order 5-F, Amendment 26, covering fresh fruits and vegetables in Waterbury and Watertown. Filed 10:00 a. m.

Hartford Order 8-F, Amendment 26, covering fresh fruits and vegetables in the Bridgeport area. Filed 9:59 a. m.

Hartford Order 6-F, Amendment 26, covering fresh fruits and vegetables in the Hartford area. Filed 10:00 a. m.

Hartford Order 7-F, Amendment 26, covering fresh fruits and vegetables in the New Haven area. Filed 10:00 a. m.

Massachusetts Order 1-C, Amendment 10, covering poultry in Massachusetts except Dukes and Nantucket counties. Filed 10:09 a. m.

Montpelier Order 15, Amendment 1, covering dry groceries. Filed 10:02 a. m.

Montpelier Order 2-W, Amendment 1, covering dry groceries in Vermont. Filed 10:02 a. m.

Montpelier Order 2-W, covering dry groceries in Vermont. Filed 10:01 a. m.

Montpelier Order 2-F, Amendment 24, covering fresh fruits and vegetables in certain cities in Vermont. Filed 10:01 a. m.

Montpelier Order 3-F, Amendment 11, covering fresh fruits and vegetables in Vermont except certain cities. Filed 10:01 a. m.

New England Order 8-F, Amendment 20, covering fresh fruits and vegetables in certain areas in Massachusetts. Filed 10:01 a. m.

REGION II

Buffalo Order 3-F, Amendment 33, covering fresh fruits and vegetables in certain cities and towns of New York. Filed 10:02 a. m.

Buffalo Order 4-F, Amendment 33, covering fresh fruits and vegetables in Rochester, East Rochester, Fairport and Pittsford, New York. Filed 2:10 a. m.

Buffalo Order 5-F, covering fresh fruit and vegetables in Allegany, Cattaraugus, Chautauqua. Filed 2:10 a. m.

Camden Order 3-F, Amendment 56, covering fresh fruits and vegetables in Camden, Burlington, Gloucester, Salem and Cumberland counties. Filed 10:03 a. m.

Camden Order 4-F, Amendment 56, covering fresh fruits and vegetables in Atlantic, Cape May counties, N. J. Filed 2:10 p. m.

Newark Order 7-F, Amendment 28, covering fresh fruits and vegetables in counties of Essex, Bergen, Hudson, Passaic, Sussex, Morris and Union and Borough of North Plainfield in Somerset county, N. J. Filed 2:10 p. m.

New York Order 6-W, covering dry groceries in certain counties in New York. Filed 10:09 a. m.

Williamsport Order 4-F, Amendment 7, covering fresh fruits and vegetables in certain counties in Pennsylvania. Filed 10:03 a. m.

REGION IV

Atlanta Order 12-F, covering fresh fruits and vegetables in the Atlanta-Decatur Metropolitan trade area. Filed 10:04 a. m.

Atlanta Order 13-F, covering fresh fruits and vegetables in certain counties outside of the Atlanta-Decatur trade area. Filed 10:04 a. m.

Atlanta Order 15-F, covering fresh fruits and vegetables in Bibb and Muscogee counties, Georgia, and Phenix city, Alabama. Filed 10:04 a. m.

Montgomery Order 26-F, Amendment 1, covering fresh fruits and vegetables in Mobile county. Filed 10:04 a. m.

Montgomery Order 26-F, Amendment 2, covering fresh fruits and vegetables in Mobile county. Filed 10:04 a. m.

Montgomery Order 27-F, Amendment 1, covering fresh fruits and vegetables in Montgomery county. Filed 10:04 a. m.

Montgomery Order 27-F, Amendment 2, covering fresh fruits and vegetables in Montgomery county. Filed 10:05 a. m.

Montgomery Order 28-F, Amendment 1, covering fresh fruits and vegetables in Houston county. Filed 10:05 a. m.

Montgomery Order 28-F, Amendment 2, covering fresh fruits and vegetables in Houston county. Filed 10:05 a. m.

Montgomery Order 29-F, Amendment 1, covering fresh fruits and vegetables in Dallas county. Filed 10:05 a. m.

Montgomery Order 29-F, Amendment 2, covering fresh fruits and vegetables in Dallas county. Filed 10:06 a. m.

REGION V

Dallas Order 4-F, Amendment 13, covering fresh fruits and vegetables in Dallas county, Texas. Filed 10:06 a. m.

Dallas Order 6-F, Amendment 3, covering fresh fruits and vegetables in McLennan county, Texas. Filed 10:06 a. m.

Fort Worth Order 13-F, Amendment 15, covering fresh fruits and vegetables in Tarrant county, Texas. Filed 10:08 a. m.

Fort Worth Order 19-F, Amendment 3, covering fresh fruits and vegetables in Taylor, Tom Green and Wichita counties, Texas. Filed 10:08 a. m.

Fort Worth Order 20-F, Amendment 3, covering fresh fruits and vegetables in Lubbock county, Texas. Filed 10:08 a. m.

Houston Order 4-F, Amendment 15, covering fresh fruits and vegetables in cities and towns of Texas. Filed 10:08 a. m.

Houston Order 5-F, Amendment 15, covering fresh fruits and vegetables in certain Jefferson and Orange counties, Texas. Filed 10:08 a. m.

Little Rock Order 10-F, Amendment 15, covering fresh fruits and vegetables in Garland county, Arkansas. Filed 10:08 a. m.

Little Rock Order 12-F, Amendment 7, covering fresh fruits and vegetables in certain counties in Arkansas. Filed 10:08 a. m.

Little Rock Order 13-F, Amendment 7, covering fresh fruits and vegetables in certain counties in Arkansas and in Bowie County, Texas. Filed 10:09 a. m.

Little Rock Order 14-F, Amendment 7, covering fresh fruits and vegetables in certain counties in Arkansas. Filed 9:55 a. m.

Little Rock Order 15-F, Amendment 7, covering fresh fruits and vegetables in certain counties in Arkansas. Filed 9:55 a. m.

Little Rock Order 25, covering dry groceries in Arkansas and the city of Texarkana, Texas. Filed 10:12 a. m.

Little Rock Order 5-W, covering dry groceries in Arkansas and the city of Texarkana, Texas. Filed 10:11 a. m.

New Orleans Order 3-F, Amendment 13, covering fresh fruits and vegetables in Louisiana. Filed 9:55 a. m.

New Orleans Order 5-F, Amendment 5, covering fresh fruits and vegetables in Shreveport, Bossier City, Monroe and West Monroe. Filed 9:55 a. m.

New Orleans Order 6-F, Amendment 5, covering fresh fruits and vegetables in certain Parishes of Louisiana except the cities of Shreveport, Bossier City, Monroe and West Monroe, Louisiana. Filed 9:55 a. m.

St. Louis Order 4-F, Amendment 15, covering fresh fruits and vegetables in the City of St. Louis and County of St. Louis, Missouri. Filed 9:55 a. m.

Wichita Order 7-F, Amendment 3, covering fresh fruits and vegetables in Sedgwick County, Kansas. Filed 9:56 a. m.

Wichita Order 8-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Kansas. Filed 9:57 a. m.

Wichita Order 9-F, Amendment 3, covering fresh fruits and vegetables in certain counties in Kansas. Filed 9:57 a. m.

Wichita Order 10-F, Amendment 3, covering fresh fruits and vegetables in Reno County, Kansas. Filed 9:57 a. m.

Wichita Order 11-F, Amendment 3, covering fresh fruits and vegetables in Shawnee County, Kansas. Filed 9:57 a. m.

REGION VI

Des Moines Order 4-F, Amendment, 5, covering fresh fruits and vegetables in certain counties in Iowa and the City of South Sioux City in Nebraska. Filed 9:57 a. m.

Des Moines Order 5-F, Amendment 5, covering fresh fruits and vegetables in certain counties in Iowa. Filed 9:57 a. m.

Des Moines Order 6-F, Amendment 5, covering fresh fruits and vegetables in certain counties in Iowa. Filed 9:58 a. m.

Des Moines Order 7-F, Amendment 5, covering fresh fruits and vegetables in certain counties in Iowa; and Cities of Moline, East Moline, Rock Island, Silvis and Milan in Illinois. Filed 9:58 a. m.

Fargo Order 35, Amendment 1, covering dry groceries in certain cities in North Dakota. Filed 9:58 a. m.

Fargo Order 36, Amendment 1, covering dry groceries in certain counties in North Dakota. Filed 9:58 a. m.

Fargo Order 37, Amendment 1, covering dry groceries in Fargo, West Fargo, Southwest Fargo, Grand Forks, and Wahpeton in North Dakota; and Alexandria, Breckenridge, Crookston, East Grand Forks, Detroit Lakes, Fergus Falls, Moorehead, Dilworth, Thief River Falls and Wadena in Minnesota. Filed 9:59 a. m.

Omaha Order 10-F, Amendment 30, covering fresh fruits and vegetables in Omaha, Nebraska and Council Bluffs, Iowa. Filed 10:11 a. m.

Omaha Order 10-F, Amendment 31, covering fresh fruits and vegetables in Omaha, Nebraska and Council Bluffs, Iowa. Filed 10:11 a. m.

Omaha Order 11-F, Amendment 31, covering fresh fruits and vegetables in Lincoln, Nebraska. Filed 10:11 a. m.

Omaha Order 11-F, Amendment 32, covering fresh fruits and vegetables in Lincoln, Nebraska. Filed 10:10 a. m.

Omaha Order 13-F, Amendment 2, covering fresh fruits and vegetables in certain cities in Nebraska. Filed 10:10 a. m.

Omaha Order 13-F, Amendment 3, covering fresh fruits and vegetables in certain cities in Nebraska. Filed 10:10 a. m.

Omaha Order 14-F, covering fresh fruits and vegetables in the Nebraska Rural Area. Filed 10:10 a. m.

Copies of any of these orders may be obtained from the OPA Office in the designated city.

ERVIN H. POLLACK,
Secretary.

[F. R. Doc. 45-20757; Filed, Nov. 13, 1945;
4:29 p. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 1-342]

RED BANK OIL CO.

ORDER SUMMARILY SUSPENDING TRADING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pa., on the 14th day of November, A. D. 1945.

The Commission, by order adopted on October 16, 1945, pursuant to section 19 (a) (4), having summarily suspended trading in the Common Stock, \$1 Par Value, of Red Bank Oil Company on the New York Curb Exchange for a period of ten (10) days in order to prevent fraudulent, deceptive, or manipulative acts or practices, and said security having been similarly suspended from trading on said exchange for additional periods of ten (10) days each by orders adopted on October 25 and November 2, 1945;

The Commission, with due regard for the public interest and the protection of investors, deeming it appropriate that trading in said Common Stock on the New York Curb Exchange be summarily suspended;

The Commission being of the opinion further that such suspension is necessary in order to prevent fraudulent, deceptive, or manipulative acts or practices, with the result that it will be unlawful under section 15 (c) (2) of the Securities Exchange Act of 1934 and the Commission's Rule X-15C2-2 thereunder for any broker or dealer to make use of the mails

or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of, such security otherwise than on a national securities exchange;

It is ordered, Pursuant to section 19 (a) (4) of the Securities Exchange Act of 1934, that trading in such security on the New York Curb Exchange be, and it hereby is, summarily suspended in order to prevent fraudulent, deceptive, or manipulative acts or practices, effective for a period of ten (10) days from the opening of the trading session on November 15, 1945.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-20911; Filed, Nov. 15, 1945;
11:51 a. m.]

[File Nos. 54-119, 59-63, 70-646]

ELECTRIC POWER & LIGHT CORP. ET AL.

ORDER GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 13th day of November, A. D. 1945.

In the matter of Electric Power & Light Corporation, Utah Power & Light Company, File No. 54-119; Electric Power & Light Corporation, Utah Power & Light Company, Utah Light and Traction Company, The Western Colorado Power Company, File No. 59-63; Utah Power & Light Company, Utah Light and Traction Company, The Western Colorado Power Company, File No. 70-646.

Electric Power & Light Corporation ("Electric"), a registered holding company and a subsidiary of Electric Bond and Share Company ("Bond and Share"), and Electric's subsidiary, Utah Power & Light Company ("Utah"), a public utility company which is also a registered holding company, having filed a joint application pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935 seeking approval of a plan of recapitalization to effectuate the provisions of section 11 (b) (2) of the act and to comply with an order of this Commission dated November 29, 1943, pursuant to section 11 (b) (2) of the act, directed to such companies and to Utah's subsidiary companies, which provided, inter alia, as follows:

* * * that Electric and Utah shall effect a change in the present capitalization of Utah to one class of stock, namely, common stock in an appropriate manner. * * *

and

Said plan, being more fully described in the Findings and Opinion hereinafter referred to, having provided, in substance, for the issuance of new common stock by Utah and the exchange of such stock for all of its outstanding publicly-held \$7 and \$6 preferred stock; and the payment to Electric by Utah of \$650,000 in cash, the release by Utah of all claims against Electric which Utah or its subsidiaries may have, and the assignment

to Electric of all claims against Bond and Share which Utah or its subsidiaries may have in consideration of the surrender for cancellation by Electric of all of the common stock of Utah and 2,100 shares of the \$7 preferred stock of Utah and the release by Electric of all claims against Utah arising from such security holdings; and

The applicants having requested that the Commission enter an order finding that the transactions proposed in said plan are necessary or appropriate to effectuate the provisions of section 11 (b) of the act, and that such order conform to the formal requirements specified in the Internal Revenue Code, as amended, including section 1808 (f) and Supplement R thereof; and

The applicants having requested the Commission upon its approval of the plan to apply to an appropriate District Court of the United States for an order approving and enforcing the plan; and

The Commission having issued a notice of and order for hearing on said application, and having directed that the proceedings thereon should be consolidated with proceedings heretofore instituted under sections 11 (b) (2), 15 (f), and 20 (a) of the act with respect to Electric and Utah and its subsidiaries; and

Utah and its electric utility subsidiary, The Western Colorado Power Company ("Colorado"), having filed a joint application seeking a finding that a capital contribution in the amount of \$4,066,651 made by Utah to Colorado constitutes substantial compliance with the aforesaid order of this Commission dated November 29, 1943 directing such a contribution in the amount of \$4,359,203; and said application having by order of this Commission been consolidated with the proceedings on the plan; and

A public hearing having been held on such matters, after appropriate public notice; the Commission having considered the record in the matter and having made and filed its findings and opinion herein; and

The Commission having found that the proposed transactions are necessary to effectuate the provisions of section 11 (b) of the act and fair and equitable to the persons affected thereby; and that the capital contribution made by Utah to Colorado in the amount of \$4,066,651 constitutes substantial compliance with its order of November 29, 1943, directing such a contribution in the amount of \$4,359,203;

It is hereby ordered, That said applications be, and the same hereby are, granted, and that said plan be, and the same hereby is, approved, subject, however, to the conditions specified in Rule U-24 and the following additional terms and conditions:

(1) That this order shall not be operative to authorize the consummation of the transactions proposed in the plan until an appropriate United States District Court shall, upon application thereto, enter an order enforcing such plan; and

(2) That jurisdiction be, and hereby is, reserved to the Commission to entertain such further proceedings, to make such supplemental findings and to take such further action as it may deem appropriate

in connection with the plan, the transactions incident thereto and the consummation thereof and, in the event the plan be not consummated, to enter such further orders as it may deem appropriate under sections 11 (b) (2), 15 (f) and 20 (a) of the act;

It is further ordered, That the issues, transfers and exchanges of securities, the mutual releases and assignment of claims, the cash payments and the transactions specified and itemized below, all as provided by the plan, are necessary or appropriate to the integration and simplification of the holding company system of which Utah is a member and necessary and appropriate to effectuate the provisions of subsection (b) of section 11 of the Public Utility Holding Company Act of 1935;

(1) The surrender by Electric, and the acquisition and cancellation by Utah of 3,000,000 shares of its common stock and 2,100 shares of its \$7 preferred stock with all rights to accumulated unpaid dividends thereon;

(2) The payment by Utah to Electric of \$650,000 in cash, the assignment to Electric of any claims against Bond and Share and its wholly-owned subsidiaries which Utah and its subsidiaries may have against them, and the release of Electric of any claims which Utah and its subsidiaries may have against Electric;

(3) The surrender by the public stockholders and the acquisition and cancellation by Utah of all of its outstanding shares of \$7 and \$6 preferred stock and the issuance in exchange therefor of 1,185,241 1/4 shares of Utah's new no par common stock of a stated value of \$20 per share;

It is further ordered, That counsel for the Commission be, and they are hereby authorized and directed to make application on behalf of the Commission to an appropriate United States District Court to enforce and carry out the terms and provisions of the plan, pursuant to the provisions of section 11 (e) and in accordance with the provisions of section 18 (f) of the act and the request duly filed herein by the applicants.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-20913; Filed, Nov. 15, 1945;
11:51 a. m.]

[File No. 54-131]

CONSOLIDATED ELECTRIC AND GAS CO.

NOTICE OF FILING OF SECOND AMENDMENT AND ORDER RECONVENING HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 9th day of November, A. D. 1945.

Notice is hereby given that Consolidated Electric and Gas Company ("Consolidated"), a registered holding company, has filed amendments to its filing in the above entitled matter. All interested persons are referred to said amendments, which are on file in the offices of this Commission, for a full statement of

the transactions therein proposed, which may be summarized as follows:

Consolidated withdraws its application herein for an order approving its plan to satisfy, discharge and retire all of its bond indebtedness by payment in cash of the principal amount thereof plus accrued interest thereon to the date of payment. Consolidated now proposes to issue and sell to Central Hanover Bank and Trust Company, New York, and certain other banking institutions not designated in the filing, notes in a principal amount not exceeding \$14,500,000, bearing interest at 2 3/4%, to mature in not more than three years from their date. The notes would be secured by pledge of substantially all of the securities of subsidiaries presently owned by Consolidated. Consolidated proposes from time to time to dispose of securities so pledged in an amount sufficient to repay the proposed bank loan; the proceeds of pledged securities would have to be used for that purpose, under the terms of the proposed bank loan agreement.

The proceeds of the notes, together with treasury funds, are to be used to acquire, redeem and retire all of the outstanding Collateral Trust Bonds of Consolidated at their redemption prices. As at June 30, 1945, Consolidated had outstanding an aggregate of \$14,716,000 principal amount of Collateral Trust Bonds as follows: \$1,447,000 of the 6% Series, due 1957, which are redeemable at principal amount and accrued interest to the date of redemption; \$13,269,000 of the 3%-6% Series, due 1962, which are redeemable at 103% of principal amount and accrued interest to the date of redemption.

It appears that sections 6 (a), 7 and 12 (d) of the Public Utility Holding Company Act of 1935 are applicable to the proposed issue and sale of notes and to the proposed pledge of securities of subsidiaries, and that the proposed acquisition, redemption and retirement of Collateral Trust Bonds are exempt from the provisions of sections 9 (a) and 12 (c) of the act pursuant to Rule U-42 (b) (2) promulgated thereunder.

It appearing to the Commission that a hearing should be held regarding the declaration included in said amendments, and that said declaration should not be permitted to become effective except pursuant to further order of this Commission;

It is ordered, That the hearing herein be reconvened under the applicable provisions of the act and the rules of the Commission thereunder on November 21, 1945, at 10:00 a. m., e. s. t., at the office of the Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. On that date, the hearing room clerk in Room 318 will advise as to the room in which the hearing will be held.

It is further ordered, That Willis E. Monty, or any other officer or officers of the Commission designated by it for that purpose, shall preside at the reconvened hearing. The officer so designated to preside at the hearing is hereby authorized to exercise all the powers granted to the Commission under section 18 (c) of the act and to a trial examiner under the Commission's rules of practice.

It is further ordered, That, without limiting the scope of the issues herein, attention will be directed at the hearing to the following matters and questions:

1. Whether the notes proposed to be issued will be reasonably adapted to the security structure and earning power of Consolidated and necessary and appropriate to the economical and efficient operation of the business in which Consolidated is presently engaged;

2. Whether the fees, commissions, or other remuneration to be paid in connection with the issue and sale of said notes are reasonable;

3. Whether the terms and conditions of said notes are detrimental to the public interest or the interest of investors and consumers;

4. Whether the accounting entries to be recorded in connection with the proposed transactions are proper and conform with sound and accepted principles of accounting under the standards of the act;

5. Generally, whether the proposed transactions comply with all the applicable provisions and requirements of the act and rules and regulations promulgated thereunder and whether it is necessary or appropriate in the public interest or for the protection of investors and consumers to impose terms and conditions in respect thereof.

It is further ordered, That notice of this hearing is hereby given to Consolidated, to Continental Illinois National Bank and Trust Company of Chicago, Trustee under the indenture securing the bonds of Consolidated and to all interested persons, said notice to be given to Consolidated and to Continental Illinois National Bank and Trust Company of Chicago by registered mail, and to all other persons by a general release of this Commission which shall be distributed to the press and mailed to all persons on the mailing list for releases issued under the Public Utility Holding Company Act of 1935 and by publication of a copy of this notice and order in the FEDERAL REGISTER.

It is requested that any person desiring to be heard in these proceedings shall file with the Secretary of the Commission on or before November 19, 1945 an appropriate request or application to be heard, as provided by Rule XVII of the Commission's rules of practice.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-20912 Filed, Nov. 15, 1945;
11:51 a. m.]

[File No. 55-89]

BARTHOLOMEW A. BRICKLEY

MEMORANDUM OPINION AND ORDER APPROVING APPLICATION

At the regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 13th day of November, 1945.

Bartholomew A. Brickley of Boston, Massachusetts, Trustee for International

Hydro-Electric System (IHES),¹ has filed with this Commission an application pursuant to Rule U-63² for approval of the maximum amount for which application may be made to the United States District Court for the District of Massachusetts as an interim allowance for his services rendered as Trustee from November 13, 1944 to July 13, 1945. Applicant seeks permission to apply for compensation in the amount of \$16,666.64 and for the reimbursement of \$596.87 of out-of-pocket expenses during that period. Applicant states that the question of final compensation is to be determined only when his services have been terminated.

Applicant has further requested that he be granted exemption, pursuant to Rule U-100, from the necessity for further applying to this Commission for the approval of the maximum amount for which application may from time to time hereafter be made to the District Court for interim allowances for services rendered after July 13, 1945, if the amount to be requested does not exceed \$2,083.33 per month plus reimbursement of future disbursements not to exceed \$100 per month.

After appropriate notice, a hearing was held with respect to the application. No one appeared in opposition to the application.

The record indicates that the services rendered as Trustee consisted in the main of daily conferences regarding the operation of the business and other pertinent matters relating thereto. The record further indicates that the services rendered by Brickley, for which the \$16,666.64 fee is requested, covers a pe-

¹ On August 14, 1943 this Commission applied to the United States District Court for the District of Massachusetts (Civil Action No. 2430), pursuant to sections 11 (d) and 18 (f) of the Public Utility Holding Company Act of 1935 to enforce compliance with an order of the Commission dated July 21, 1942, (Holding Company Act Release No. 3679), issued pursuant to Section 11 (b) (2) of the act. This order directed International Hydro-Electric System to liquidate and dissolve. After a hearing on the application, the United States District Court entered an interlocutory decree on October 11, 1943 appointing Brickley as Special Counsel to investigate certain transactions alleged to give rise to causes of action on behalf of International Hydro-Electric System against International Paper Company. On November 13, 1944, the court appointed Brickley as Trustee for International Hydro-Electric System.

² Rule U-63 promulgated under Sections 11 (d) and 11 (f) of the Act provides as follows:

"All fees, expenses and remuneration whether interim or final to whomsoever paid for services rendered, or to be rendered in connection with any reorganization, dissolution, liquidation, bankruptcy, or receivership of a registered holding company or subsidiary thereof, in any court of the United States shall be subject to approval by this Commission as to the maximum amount that may be paid for such services. This rule shall not apply to any payments approved by a court of the United States in any proceeding in which the Commission has filed a notice of appearance pursuant to Section 208 of Chapter X of the Bankruptcy Act as amended."

riod of eight months from the time of his appointment as Trustee, November 13, 1944, to July 13, 1945. The record indicates that since the latter date the amount of work has so increased that it is estimated that approximately three-fourths of Brickley's time will be devoted to the affairs of IHES. The time devoted to services rendered during the eight months' period is estimated at 680 hours.

After consideration of the record, we are satisfied that \$16,666.64 is reasonable as the maximum amount for which application may be made to the District Court for interim compensation for the services rendered in the period ending July 13, 1945, and that the claimed disbursements were properly made. We are further satisfied that \$2,083.33 per month is a reasonable amount for which application may be made to the District Court for interim compensation for future services. Similarly, we are satisfied that \$100 per month is reasonable as the maximum amount for which application may be made to the District Court for interim reimbursement of future disbursements.

It is therefore ordered, That the application of Brickley, pursuant to Rule U-63, be, and the same is, hereby approved, such approval being without prejudice to the rights of any of the parties hereto or the jurisdiction of the Commission, with respect to the maximum amount of any final claims for fees, expenses or remuneration in connection with this reorganization.

It is further ordered, That the application of Brickley, pursuant to Rule U-100 be, and the same is, hereby approved, subject to the following conditions:

1. The applicant will give to the Commission 20 days' notice of all applications for allowances to be made to the United States District Court for the District of Massachusetts, and will furnish to the Commission a detailed statement of such services and expenses at the time of said notice.

2. The Commission retains jurisdiction, at any time, upon appropriate notice to terminate the exemption hereby granted.

3. The exemption hereby granted shall not prejudice the rights of any of the parties hereto, or the jurisdiction of the Commission, with respect to the maximum amount of any final claims for fees, expenses, or remuneration in connection with this reorganization.

By the Commission.

[SEAL] ORVAL DuBOIS,
Secretary.

[F. R. Doc. 45-20915; Filed, Nov. 15, 1945;
11:52 a. m.]

[File Nos. 70-618, 54-100]

AMERICAN POWER & LIGHT CO.

ORDER APPROVING PLAN AND DIRECTING APPLICATION TO COURT

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia 3, Pennsylvania, on the 8th day of November, A. D. 1945.

The Commission having on August 22, 1942, entered an order pursuant to section 11 (b) (2) of the Public Utility Holding Company Act of 1935 requiring that the existence of American Power & Light Company ("American"), a registered holding company subsidiary of Electric Bond and Share Company, also a registered holding company, be terminated and said company be dissolved, and that American proceed with due diligence to submit to the Commission a plan or plans for the prompt dissolution of American pursuant to section 11 (b) (2) of the act; and

American having on July 13, 1944, filed an application pursuant to section 11 (e) of the act for approval of a plan for the retirement of American's outstanding 6% Gold Debenture Bonds, due 2016, and Southwestern Power & Light Company's ("Southwestern"), 6% Gold Debenture Bonds, due 2022, assumed by American, at 100% of principal amount plus accrued interest, which plan is more fully described in the findings and opinion hereinafter referred to; and

Public hearings having been held after appropriate notice and the Commission having issued its findings and opinion dated October 31, 1945, disapproving the plan as not fair and equitable to the persons affected thereby, and having granted American leave to file within thirty days an amended plan in accordance with said findings and opinion; and

American, pursuant to section 11 (e) of the act, having filed on November 7, 1945, an amended plan, providing for the retirement of American's outstanding 6% Gold Debenture Bonds, due 2016, at 110% of principal amount plus accrued interest; and said amended plan further providing for the retirement of the Southwestern 6% Gold Debenture Bonds, due 2022, at 110% of principal amount plus accrued interest, and in addition such amount which the Commission shall subsequently determine to be fair and equitable on account of the fact that the Southwestern Gold Debenture Bonds are not callable until March 1, 1947; and

The Commission having found that said amended plan is necessary to effectuate the provisions of section 11 (b) of the act and is fair and equitable to the persons affected thereby:

It is ordered, That the application for approval of said amended plan be and the same hereby is granted and the said amended plan be and the same hereby is approved subject, however, to the conditions specified in Rule U-24 and to the further condition that this order shall not be operative to authorize the consummation of the transactions proposed in the amended plan until an appropriate United States District Court shall, upon application thereto, enter an order enforcing such amended plan.

It is further ordered, That the application of American to withdraw an application, previously filed, for a further extension of its authority to purchase debentures in the open market (File No. 70-618) be, and hereby is, granted.

It is further ordered, That counsel for the Commission be and they are hereby authorized and directed to make application on behalf of the Commission to an appropriate United States District Court to enforce and carry out the terms and provisions of said amended plan pursuant to the provisions of sections 11 (e) and 18 (f) of the act and the request duly filed herein by the applicant.

It is further ordered, That the expenditure by American of \$40,028,560, and of the amount of unpaid accrued interest for the retirement of American Power & Light Company Gold Debenture Bonds, American 6% Series, due 2016, and Southwestern Power & Light Company 6% Gold Debenture Bonds, Series A, due 2022, assumed by American, and of the additional amount payable to the holders of Debenture Bonds issued by Southwestern Power & Light Company, pursuant to the receipts to be issued as provided in the amended plan, and the issuance of such receipts, are necessary and appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935 and are necessary and appropriate to the integration or simplification of the holding company system of which American is a member.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-20917; Filed, Nov. 15, 1945;
11:52 a. m.]

[File No. 70-1156]

AMERICAN POWER & LIGHT CO. AND CENTRAL
ARIZONA LIGHT AND POWER CO.

ORDER PERMITTING DECLARATION TO BECOME
EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 1st day of November, A. D. 1945.

American Power & Light Company ("American"), a registered holding company subsidiary of Electric Bond and Share Company, also a registered holding company, having filed a declaration and amendments thereto under section 12 (b), 12 (d) and 12 (f) of the Public Utility Holding Company Act of 1935 and Rules U-44, U-45 and U-50 thereunder regarding (a) the sale by American, in accordance with the provisions of Rule U-50, of 840,000 shares of the common stock of Central Arizona Light and Power Company ("Central Arizona"), (b) the assignment to American by Central Arizona of its claims against Electric Bond and Share Company and the latter's present or former subsidiary service companies, and (c) the agreement between American and Central Arizona whereby American will receive the benefits of any gain or suffer any loss from adjustments in Central Arizona's

accruals for Federal income and excess profits taxes between January 1, 1940 and the last day of the month preceding the consummation of the proposed transactions; and

American having requested that the 10-day minimum period for reception of competitive bids prescribed by Rule U-50 be reduced to a minimum of six days; and American having further requested that the Commission enter an order finding that the sale and transfer by American of common stock of Central Arizona and the payments, if any, pertaining to adjustments for Federal income and excess profits taxes of Central Arizona are necessary or appropriate to effectuate the provisions of section 11 (b) of the act and that such order conform to the pertinent requirements of the Internal Revenue Code as amended, including section 1808 (f) and Supplement R thereof; and

A public hearing having been held after appropriate notice, the Commission having considered the record in this matter to date and having made and filed its memorandum findings and opinion herein:

It is ordered, That the declaration, as amended, be, and the same is hereby permitted to become effective, subject to the conditions prescribed by Rule U-24 and to the further condition that the proposed sale of the common stock of Central Arizona shall not be consummated until the results of competitive bidding, pursuant to Rule U-50, have been made a matter of record in this proceeding and a further order shall have been entered by the Commission in the light thereof, jurisdiction being reserved for this purpose;

It is further ordered, That jurisdiction be and the same is hereby reserved over all legal fees to be incurred in connection with the proposed transactions; and

It is further ordered, That the sale and transfer by American of 840,000 shares of common stock without par value of Central Arizona and the payments, if any, pertaining to adjustments on account of provision for Federal income and excess profits taxes of Central Arizona pursuant to the amendment dated October 30, 1945 to the letter agreement of October 3, 1945 between Central Arizona and American are necessary or appropriate to the integration or simplification of the holding company system of which American is a member and are necessary or appropriate to effectuate the provisions of section 11 (b) of the Public Utility Holding Company Act of 1935.

It is further ordered, That the 10-day minimum period for reception of bids with respect to the common stock proposed to be sold, prescribed by Rule U-50, be, and the same is hereby reduced to a minimum of six days.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 45-20914; Filed, Nov. 15, 1945;
11:51 a. m.]